

RESOLUTIONS AND LEGAL NOTICES OF HEARING LISTED ON THE PRELIMINARY AGENDA ARE AVAILABLE AT THE TOWN CLERK'S OFFICE ONE DAY PRIOR TO THE TOWN BOARD MEETING.

IF YOU ATTEND THE TOWN BOARD MEETING AND WISH TO READ ANY LEGAL NOTICE OF PUBLIC HEARING OR RESOLUTION SCHEDULED, PLEASE SEE THE WHITE BINDER LOCATED ON THE TABLE TO THE RIGHT OF THE DAIS NEXT TO THE TOWN CLERK. IF YOU HAVE ANY FURTHER QUESTIONS PLEASE SEE TOWN CLERK JO-ANN RAIA.

PRELIMINARY/ADOPTED AGENDA AND ADOPTED RESOLUTIONS ARE AVAILABLE AT:
<http://town.huntington.ny.us>

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Mark A. Cuthbertson
Councilwoman	Glenda A. Jackson
Councilman	Mark Mayoka
Town Clerk	Jo-Ann Raia
Town Attorney	John J. Leo

AGENDA FOR TOWN BOARD MEETING DATED JUNE 6, 2011

7:00P.M. – TOWN HALL

Opened: 7:02 P.M. Recessed: 9:00 P.M. Resumed: 9:14 P.M. Closed: 10:06 P.M.

(Resolutions #2011-277 to 2011-322)

HEARINGS:

ACTION

1. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J Re: West Twenty-Second Street, No Stopping Restriction.
(2011-TC-16-Ch. 3)

DECISION RESERVED

2. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: West Farm Drive - Stop Signs.
(2011-TC-17-Ch. 2)

DECISION RESERVED

3. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Burr Road, No Parking Restriction.
(2011-TC-18-Ch. 3)

DECISION RESERVED

4. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Depot Road, No Stopping Restriction.
(2011-TC-19-Ch. 3)

DECISION RESERVED

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED:

RESOLUTIONS: OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone - FP
Councilwoman Susan A. Berland - SB
Councilman Mark A. Cuthbertson - MC
Councilwoman Glenda A. Jackson - GJ
Councilman Mark Mayoka - MM

- | | | | | |
|------------------|--|---|---|-----------------|
| 2011-277. | AUTHORIZE the Supervisor to execute an agreement with the Urban League of Westchester County, Inc. to provide a Senior Community Employment Program. (Period: July 1, 2011 – June 30, 2012) | SB
<u>GJ</u> | <u>FP</u> | <u>5</u> |
| 2011-278. | AUTHORIZE the Supervisor to apply for and receive funding from the U.S. Department of Health and Human Services, for the Huntington Youth Bureau Sanctuary Runaway, Homeless Youth Program.
(Period: September 30, 2011 – September 29, 2014) | GJ
<u>SB</u> | <u>MM</u> | <u>5</u> |
| 2011-279. | AUTHORIZE the Supervisor to execute an agreement with Helen Keller Services for the Blind to provide skilled, trained people who are visually impaired the opportunity to work and gain valuable experience, by working at the Town of Huntington.
(Period: July 1, 2011 – June 30, 2012) | FP
<u>MM</u> | SB
<u>GJ</u> | <u>5</u> |
| 2011-280. | AUTHORIZE the Supervisor to execute a modification and extension of the Memorandum of Understanding with F.E.G.S Health and Human Service System nunc pro tunc.
(Period: January 1, 2011 – December 31, 2011) | <u>GJ</u> | <u>SB</u> | <u>5</u> |
| 2011-281. | AUTHORIZE the Supervisor to execute an amendment to a license agreement with the Long Island Community Agriculture Network Project of Starflower Experiences, Inc. (LI-CAN) in connection with a pilot community garden at Gateway Park and the Clifford Soergel Outreach Garden. | FP
<u>GJ</u> | <u>MM</u> | <u>5</u> |
| 2011-282. | AUTHORIZE the Supervisor to execute an amendment to the agreement with Suffolk County to obtain operating assistance for the Town’s Mass Transit (HART) Bus System.
(Period: January 1, 2011 – December 31, 2011) | <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-283. | AUTHORIZE the Supervisor to execute a contract with the Huntington YMCA for use of the Dix Hills Park Pool in summer 2011.
(Dates: June 26 – August 19, 2011; Times: 6:00 AM – 8:00 AM) | <u>FP</u> | SB
<u>GJ</u>
<u>MC</u> | <u>5</u> |
| 2011-284. | AUTHORIZE the use of Dix Hills Park Pool by the children of Whitman Village Housing Development, Gateway Gardens and Millenium Hills and Family Service League upon payment of a flat fee for the summer of 2011. | FP
<u>GJ</u>
<u>SB</u> | <u>MC</u> | <u>5</u> |

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED:

RESOLUTIONS:	OFF.	SEC.	VOTE
2011-285. AUTHORIZE the use of Dix Hills Golf Course by the Special Olympics Long Island Region to conduct a Golf Program for athletes with special needs. (Dates: Sunday evenings from June 26 to October 2, 2011; Times: 5:30 PM to 8:00 PM)	<u>SB</u> <u>MM</u>	<u>GJ</u>	<u>5</u>
2011-286. AUTHORIZE the Supervisor to execute an extension of the Agreement with Sweet Hills Equestrian Stables D/B/A Sweet Hills Equestrian Center to provide a horseback riding facility and lessons at West Hills Park. (Period: June 14, 2011 – November 30, 2011)	<u>GJ</u>	<u>FP</u>	4-AYES 1-NO <u>(MM)</u>
2011-287. AUTHORIZE the Supervisor to execute a contract with Swiftreach Networks, Inc. for Public Emergency Notification Services.	<u>FP</u>	<u>MC</u>	<u>5</u>
2011-288. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund and Neighborhood Parks Fund for recommended Park Improvement (Sunshine Acres Park).	<u>SB</u> <u>GJ</u>	<u>FP</u>	<u>5</u>
2011-289. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended neighborhood enhancement (Gateway – New York Avenue Wall).	<u>FP</u> <u>GJ</u>	<u>SB</u>	<u>5</u>
2011-290. AUTHORIZE the Comptroller to reappropriate monies from neighborhood Parks Fund for Veterans Park.	<u>SB</u>	<u>GJ</u>	<u>5</u>
2011-291. AUTHORIZE the Comptroller to amend the 2011 Operating Budget for snow removal expenses for the Town of Huntington and its special districts-Highway Department.	<u>FP</u>	<u>MM</u>	<u>5</u>
2011-292. AUTHORIZE the Comptroller to amend the 2011 Operating Budget for the Town of Huntington and its special districts-various departments.	<u>FP</u>	<u>SB</u>	<u>5</u>
2011-293. AUTHORIZE the creation of a Cemetery Stewards Program. (Coordinator: Town Historian)	<u>SB</u>	<u>GJ</u>	<u>5</u>
2011-294. AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington and/or the Uniform Codes of the State of New York. (Re: Iris Cervantes, 2 Pine Hill Court, Northport, SCTM# 0400-081.00-08.00-016.000, Chapter 87, 156; Crafton Dferguson, 57 W. Pulaski Road, Huntington Station, SCTM# 0400-141.00-03.00-048.000, Chapter 133, 156; Jose Cruz, 110 W. Pulaski Road, Huntington Station, Chapter 133, 156; Myra Ticker, 138 Wyman Avenue, Huntington Station, SCTM# 0400-099.00-05.00-007.000, Chapter 133, 156; Diane/Hugh Bullock, Jr., 115 East 23rd Street, Huntington Station, SCTM# 0400-199.00-03.00-067.000, Chapter 156; Steven Wiener, 7 Donovan Drive, Cold Spring Harbor, SCTM# 0400-091.00-03.00-023.00, Chapter 156; Bruce/Beverly Morgan, 53 Thorney Avenue, Huntington Station, SCTM# 0400-200.00-01.00-001.000, Chapter 156)	<u>SB</u> <u>GJ</u>	<u>FP</u>	<u>5</u>

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED:

RESOLUTIONS:	OFF.	SEC.	VOTE
2011-295. AUTHORIZE settlement of a claim and amending resolution No. 2011-53 (Rameriz/Flores v. Town of Huntington).	<u>SB</u>	<u>MC</u>	<u>5</u>
2011-296. ACCEPT a donation from Safeguard Credit Counseling for the Youth Financial Forum, nunc pro tunc. (Re: Donald Mastroianni, CFO) (Donation: Five METS tickets with prepaid parking)	<u>GJ</u>	<u>FP</u>	<u>5</u>
2011-297. APPOINT Volunteer Park Stewards. (Re: Ciaran Clark – Geisslers Beach and Jerome Ambro Memorial Wetlands Preserve, Susan Gessner- Veterans Park and Paul Warburgh – Village Green)	<u>SB</u>	<u>GJ</u>	<u>5</u>
2011-298. APPOINT a Director of the Department of Public Safety. (Re: Kenneth F. Lindahl, Jr.)	FP GJ <u>MC</u>	SB	4-AYES 1-ABST <u>(MM)</u>
2011-299. CLASSIFY Round 8 Suffolk County Downtown Revitalization Grant Projects pursuant to the State Environmental Quality Review Act. (Re: Town of Huntington Economic Development Corporation, East Northport Chamber of Commerce, Huntington Historical Society, Huntington Village Business Improvement District and Greenlawn Civic Association)	<u>FP</u>	<u>GJ</u>	<u>5</u>
2011-300. CLASSIFY Round 9 Suffolk County Downtown Revitalization Grant Projects pursuant to the State Environmental Quality Review Act. (Re: Huntington Village BID and Greenlawn Civic Association)	<u>FP</u>	MM <u>GJ</u>	<u>5</u>
2011-301. CLASSIFY Round 10 Suffolk County Downtown Revitalization Grant Application Projects pursuant to the State Environmental Quality Review Act. (Re: Cold Spring Harbor Main Street Association and East Northport Chamber of Commerce)	<u>FP</u>	<u>SB</u>	<u>5</u>
2011-302. DECLARE certain equipment and vehicles as surplus an/or obsolete and authorizes the sale at auction, trade in or disposal of the same.	<u>SB</u> <u>MM</u>	<u>GJ</u>	<u>5</u>
2011-303. DESIGNATE the playground in John Walsh Park in East Northport to be known as “Ann and Connelle’s Playground”.	<u>GJ</u>	<u>SB</u>	<u>5</u>
2011-304. DIRECT the Chief Sustainability Officer to undertake a long-range Energy Efficiency and Capital Investment Plan for the Town of Huntington and authorizing the execution of a contract with Collaborative Energy Group.	FP <u>MC</u>	MM <u>SB</u>	<u>5</u>
2011-305. ESTABLISH the standard work days for appointed personnel for New York State and Local Retirement System reporting purposes.	<u>MM</u>	<u>SB</u>	<u>5</u>

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED:

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2011-306. GRANT permission for the Incorporated Village of Northport to operate or to permit a third party authorized by the Village to operate a Farmer’s Market on property leased from the Town of Huntington. (Dates: Saturdays from June 18, 2011 until November 19, 2011; Time: 8:00 AM to 1:00 PM)</p>	<p>FP <u>GJ</u></p>	<p>MM <u>SB</u></p>	<p><u>5</u></p>
<p>2011-307. URGE the State of New York to enact legislation (A.3836/S.2734) requiring the transfer of certain acreage of the former Pilgrim State Psychiatric Hospital to the Oak Brush Plains State Nature and Historic Preserve.</p>	<p>FP <u>SB</u></p>	<p><u>GJ</u></p>	<p><u>5</u></p>
<p>2011-308. ENACTMENT: ADOPT Local Law Introductory Number 12-2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article IV (Commercial Districts). (Re: Freestanding Convenience Markets)</p>	<p>SB <u>MC</u></p>	<p><u>MM</u></p>	<p><u>5</u></p>
<p>2011-309. ENACTMENT: APPROVE the issuance of a Certificate of Approval in an Historic District Re: 7 Titus Lane- Cold Spring Harbor Historic District. (Applicant: Judith Hogan) (SCTM# 0400-016.00-06.00-025.001)</p>	<p><u>MM</u></p>	<p>MC <u>GJ</u></p>	<p><u>5</u></p>
<p>2011-310. ENACTMENT: ADOPT Local Law Introductory Number 8-2011, considering Zone Change Application #2011-ZM-386 known as Avalon at Huntington Station- R-3M to change the zone from R-7 Residence District to R-3M Garden Apartment Special District for the property located on the north side of East Fifth Street, west of Park Avenue, Huntington Station, SCTM# 0400-104.04-01- (001-109, 112-114 & 116-118) and issuing a negative declaration for said action to rezone.</p>	<p>FP <u>GJ</u></p>	<p><u>MC</u></p>	<p>4-AYES 1-NO <u>(MM)</u></p>
<p>2011-311. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 130 Old Country Road, Melville – Sweet Hollow Historic District. (Applicant: Mario Diamandis) (SCTM# 0400-256.00-02.00-10.000)</p>	<p><u>SB</u></p>	<p><u>GJ</u></p>	<p><u>5</u></p>
<p>2011-312. RESCHEDULE A PUBLIC HEARING: July 12, 2011 at 7:00 PM To consider issuing a Certificate of Approval in a Historic District Re: 498 Sweet Hollow Road-Sweet Hollow Historic District. (Applicant: Roger and Eileen Erdvig) (SCTM# 0400-256.00-1.00-12.000)</p>	<p><u>MC</u></p>	<p><u>MM</u></p>	<p><u>5</u></p>
<p>2011-313. SCHEDULE A PUBLIC HEARING: July 12, 2011 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, §4-1, Schedule K Re: Parking at Private Fields.</p>	<p><u>SB</u></p>	<p><u>MC</u></p>	<p><u>5</u></p>

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED:

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2011-314. SCHEDULE A PUBLIC HEARING: July 12, 2011 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G Re: West Mall Drive – Stop Signs.</p>	<u>SB</u> <u>GJ</u>	<u>MM</u>	<u>5</u>
<p>2011-315. SCHEDULE A PUBLIC HEARING: July 12, 2011 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article I, §2-1, Schedule A Re: Traffic Signal – Town Line Road (CR4) at Sunshine Acres Park Entrance/Exit and Hubbell Street.</p>	<u>GJ</u>	<u>MC</u>	<u>5</u>
<p>2011-316. SCHEDULE A PUBLIC HEARING: July 12, 2011 at 7:00 PM To consider a proposed application for Federal Capital Assistance for the Huntington Area Rapid Transit (HART) System.</p>	<u>MM</u>	<u>FP</u> <u>GJ</u>	<u>5</u>
<p>2011-317. AUTHORIZE the Supervisor to enter into an agreement with the Suffolk County SPCA for a low cost rabies clinic at the Huntington Animal Shelter/Adoption Center. (Dates: July 9 & 10, 2011)</p>	<u>FP</u>	<u>MM</u>	<u>5</u>
<p>2011-318. AMEND resolution 2011-257 appointing and reappointing various board members Re: Huntington Housing Authority. (Re: John Perri; Term: June 23, 2011 – June 22, 2012)</p>	<u>FP</u>	<u>MC</u>	<u>5</u>
<p>2011-319. ADOPT a Home Rule Message urging the New York State Legislature to approve and the Governor to sign legislation (S.4209/A.6600) designating uniformed officers of the Fire Marshal’s Office of the Town of Huntington as Peace Officers.</p>	<u>FP</u>	<u>MM</u> <u>GJ</u>	<u>5</u>
<p>2011-320. ENACTMENT: ADOPT Local Law Introductory Number 5-2010, considering Zone Change Application #2008-ZM-372, Hilltop Homes, to change the zoning from C-6 General Business and R-80 Residence District to R-3M Garden Apartment Special District for the property located on the southeast corner of East Main Street and Centershore Road, Centerport, SCTM #0400-079-03-001.</p>	<u>MC</u>	<u>FP</u>	3-AYES 1-NO (SB) 1-ABST <u>(MM)</u>
<p>2011-321. DENYING the application of T-Mobile Northeast, L.L.C. to be exempted from the provisions of Local Law No. 2-2011 and any extension to the 90-Day moratorium in order to locate a wireless communication antenna at 9 Crosby Place, Cold Spring Harbor.</p>	<u>GJ</u>	<u>SB</u>	4-AYES 1-NO <u>(MC)</u>
<p>2011-322. SCHEDULE A PUBLIC HEARING: July 12, 2011 at 7:00 PM To consider granting a license agreement to National Grid to provide energy efficient natural gas service to the U.S. Veterans Administration Medical Center in Northport and to provide mitigation thereto.</p>	<u>MC</u>	<u>FP</u> <u>GJ</u> <u>SB</u>	<u>5</u>

HEARINGS (Continued):

ACTION

5. Consider issuing a Certificate of Approval in an Historic District Re:
130 Old Country Road, Melville - Sweet Hollow Historic District.
(Applicant: Mario Diamandis) (SCTM# 0400-256.00-02.00-10.000)
(2011-ZC-2-Ch. 198)

**ENACTMENT
RESOLUTION #2011-311**

6. Consider issuing a Certificate of Approval for an Historic Building, Site or
Landmark Re: 195 Pidgeon Hill Road - Phillip Valentine House.
(Applicant: Andrew Oliveira) (SCTM # 0400-240.00-03.00-15.002)
(2011-ZC-3-Ch. 198)

DECISION RESERVED

7. Consider issuing a Certificate of Approval in an Historic District Re:
498 Sweet Hollow Road, Melville - Sweet Hollow Historic District.
(Applicant: Roger and Eileen Erdvig) (SCTM # 0400-256.00-1.00-12.000)
(2011-ZC-4-Ch. 198)

**HEARING TO BE
RESCHEDULED AS PER
RESOLUTION #2011-312
FOR 7/12/2011 @ 7:00 P.M.**

8. Consider acquiring Huntington property (Carpenter Farm).
(Re: 55 Old Field Lane, Huntington) (SCTM #0400-080-02-022.000)
(2011-M-22)

DECISION RESERVED

9. Consider adopting Local Law Introductory No. 11-2011 amending the Code
of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances),
to add Article VI (Blighted Property) §156-60.
(Local Law Introductory No. 11-2011)

DECISION RESERVED

10. Consider adopting Local Law Introductory No. 14-2011 amending the
Code of the Town of Huntington, Chapter 198, (Zoning), Article III
(Residence Districts) §198-19 (R-5 Residence District) Article XI
(Conditional Uses; Special Use Permits) §198-68 (19).
(Local Law Introductory No. 14-2011)

DECISION RESERVED

INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: JUNE 6, 2011

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Jay Kaufman for VJ 98 Restaurant Group LLC name to be determined (688 Fort Salonga Road, Northport); From: Howard Smoler for Paramount Theater name to be determined (372 New York Avenue, Huntington); From: Howard Smoler for Black Bird NY Inc. name to be determined (368 New York Avenue, Huntington);

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Wen Chen for New Thai Greenleaf Restaurant Inc.; From: William White for Cold Spring Harbor Fire Department; From: Stuart Steinberg for Sbarro the Italian Eatery; From: Watcharee Escalera for Sri Thai; From: Hua Liu for Dragon Gate; From: Joseph Kadow for Outback Steakhouse of Florida, LLC; From: Sandra Finley for Finleys of Green Street (3 Licenses); From: Tom Lam for Nisen Sushi of Commack, LLC; From: Stephen O'Bryan for Bloomingdale's;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding Town of Huntington Resolution# 2011-237 (Freestanding Convenience Markets). The letter indicates that this is to be considered a matter for local determination as there is no apparent significant county-wide or inter-community impact. A decision of local determination should not be construed as either an approval or disapproval.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
4. Petition hand delivered by Anne Wesp requesting that the Town conduct a SEQRA review in Centerport for the Chalet Motor Inn, Jellyfish, the former Post Office and the old Hilltop property. The letter also requests that the proposed 7-11 to be built in Centerport be denied.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
5. Emails received from Fay Fortunato, Robert James, Kenneth Ligotti, Maria DeLuca, Alan Kraemer, Rosemarie Peduto, Michael Rivera, Frances Vacchiano, Brian Meagher, Sophie & Randy Tasman, Judy Biener, Una Joyce Williams, Arlene & Barry Fell, Dennis Pape, Ryevett Motley, Ray Green, Rosa Rendon, Hugo Intriago, and Lorena Intriago expressing opposition to AvalonBay.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
6. Email received from Kim D'Ambrosio, Bruce Stillman, Ph.D., President of Cold Spring Harbor Laboratory, Tom D'Ambrosio, Janet Allen, Bethany Presbyterian Church, Clerk of Session Susan Lagville and expressing support for AvalonBay.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
7. Email received from Jeannette Salvito regarding the traffic conditions on Townline Road in Commack and how the children at Commack High School and North Ridge Primary School are directly affected. An interpretation of a presentation made by a Mr. Semprini, to the Smithtown Town Board, was also included. A major concern is the huge trucks that travel the road and the disregard of speed limits.

Supervisor
Town Board
Town Attorney
Public Safety
Engineering Services
Planning & Environment
cc: Traffic & Transportation
8. Letter received from Beth Nystom, District Clerk for the Northport-East Northport Union Free School District advising the results of the annual budget vote and trustee elections. Joseph Sabia, Jennifer Thompson, Tammie Topel and Kristen Gavin were elected.

Supervisor
Town Board
Town Attorney
cc: Comptroller

9. Letter received from Judith Hammond, District Clerk for the South Huntington School District advising candidates elected to the school board, Jim Kaden and Lisa Brieff. Supervisor
Town Board
cc: Town Attorney
10. Email received from Jennifer Lee with a link to an online petition, Say No AvalonBay. As of May 18, 2011, there was a total of 370 signatures. The website is www.petitiononline.com/SayNoAVB/petition.html. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
11. Letter received from Karl Hudelmaier and also on behalf of: Robert and Jonna Wenzel, and Barbara Hudelmaier regarding the Moratorium on cell phone transmission facilities and also specifically 9 Crosby Place in Huntington. The writer submits several studies and statistics on the effects of cell towers. Mr. Hudelmaier would like to see the Town Board enact more stringent regulations. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
12. Email received from Alicia Hendel, Suffolk County Legislative Aide, advising of Resolution Number 331-2011 that was adopted May 10, 2011. The resolution reads "to readjust, compromise, and grant refunds and charge-backs on real property correction of errors by: County Legislature." Supervisor
Town Board
cc: Town Attorney
13. Letter dated May 19, 2011, addressed to Supervisor Petrone and copied to members of the Huntington Town Council received from Dr. William R. Spencer, advising that he is leaving his position as Commissioner with the Huntington Housing Authority. cc: Town Attorney
14. Letter dated May 20, 2011 and received in the Town Clerk's Office on June 1, 2011, from Andrew Freleng, Chief Planner for the Suffolk County Planning Commission, regarding Avalon at Huntington Station, Change of Zone # 2008-ZM-378. This topic will be reviewed by the Commission at the June 1, 2011 meeting at noon. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
15. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding Resolution #2001-268. The Planning Commission has decided that this is a matter for local determination and this should not be construed as either an approval or disapproval. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
16. Letter received from Steven Spucces, President of Greater Huntington Civic Group, requesting a no vote on Avalon Bay. Attached was a report from a Planning and Community Development Consultant, Norman Gerber Associates on the proposed AvalonBay Development in Huntington Station. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
17. Letter and maps received from Vincent Puleo, Town Clerk of Smithtown, regarding Smithtown's Town Board Motion #2011-A to amend conditions and covenants regarding Petition #92-02 PJ Venture which was adopted at the May 26, 2011 meeting. B) An additional certified copy received under direction of Frank DeRubeis, Town Planning Director, all info the same. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
18. Letter received from Susan Mullen, Clerk to the Smithtown Board of Zoning Appeals regarding a Public Hearing to be held on August 9, 2011 for proposed Lowe's of Commack to be located at 100 Long Island Expressway; included were copies of the application, maps and EAF. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE URBAN LEAGUE OF WESTCHESTER COUNTY, INC. TO PROVIDE A SENIOR COMMUNITY EMPLOYMENT PROGRAM

Resolution for Town Board Meeting dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND,**
COUNCILWOMAN JACKSON

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington desires to assist senior citizens in the enhancement of employment skills; and

WHEREAS, the Urban League of Westchester County Inc., 61 Mitchell Place, White Plains, New York, will employ senior citizen participants for the purpose of on the job training at minimum wage for up to twenty (20) hours per week at the Town of Huntington, the training/host site, to assist and encourage participants to obtain unsubsidized employment; and

WHEREAS, entering into this contract for an employment program is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Urban League of Westchester County, Inc., 61 Mitchell Place, White Planes, New York 10601 which shall place participant senior citizens at minimum wage for up to twenty (20) hours per week for the purpose of receiving on the job training through the training/host site at the Town of Huntington to help seniors obtain unsubsidized employment, from July 1, 2011 to June 30, 2012 and upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE HUNTINGTON YOUTH BUREAU SANCTUARY RUNAWAY, HOMELESS YOUTH PROGRAM

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN JACKSON,**
COUNCILWOMAN BERLAND
and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Sanctuary Project provides services to youth throughout the Town who run away or feel as if they want to runaway providing services that includes referrals to short-term emergency housing, crisis intervention, youth and family counseling, advocacy and independent living skills training; and

WHEREAS, funding in the amount of \$178,637.00 is available from the U.S. Department of Health and Human Services for the Huntington Youth Bureau Sanctuary Runaway and Homeless Youth Program for the period September 30, 2011 to September 29, 2014.

WHEREAS, applying for and receiving funding for this program is a Type II action, pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for and receive funding from the U.S. Department of Health and Human Services in the amount of ONE HUNDRED SEVENTY-EIGHT THOUSAND SIX HUNDRED THIRTY-SEVEN AND NO/100 (\$178,637.00) DOLLARS for the period September 30, 2011 through September 29, 2014 to implement the Huntington Youth Bureau Sanctuary Runaway and Homeless Youth Program and to execute any documents in connection therewith upon such terms and conditions as approved by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH HELEN KELLER SERVICES FOR THE BLIND TO PROVIDE SKILLED, TRAINED PEOPLE WHO ARE VISUALLY IMPAIRED THE OPPORTUNITY TO WORK AND GAIN VALUABLE EXPERIENCE, BY WORKING AT THE TOWN OF HUNTINGTON.

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILMAN MAYOKA**
and seconded by: **COUNCILWOMAN BERLAND, COUNCILWOMAN JACKSON**

WHEREAS, the Town of Huntington desires to assist visually impaired persons in gaining valuable work experience and enhance employment skills; and

WHEREAS, the Helen Keller Services for the Blind, 57 Willoughby Street, Brooklyn, New York will provide skilled people for the purpose of job training for up to three (3) months at the Town of Huntington work site; and

WHEREAS, Helen Keller Services for the Blind will pay the intern's wages and cover all fringe benefits, including disability and Worker's Compensation; and

WHEREAS, entering into this contract for an employment program is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to execute an agreement and any documents in connection therewith, with Helen Keller Services for the Blind, 57 Willoughby Street, Brooklyn, New York 11201 which shall place skilled people who are visually impaired for up to three (3) months for the purpose of gaining work experience through placement at a host site for the Town of Huntington, from July 1, 2011 to June 30, 2012 and upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A MODIFICATION AND EXTENSION OF THE MEMORANDUM OF UNDERSTANDING WITH F.E.G.S HEALTH AND HUMAN SERVICE SYSTEM NUNC PRO TUNC

Resolution for Town Board Meeting dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Federation Employment and Guidance Service, Inc. (F.E.G.S) is a private, not-for-profit health and human services corporation operating a diverse range of programs delivering services in the New York Metropolitan Area and Long Island; and

WHEREAS, F.E.G.S has collaborated with the Town of Huntington to operate the "Hands on Huntington" initiative to provide the highest level of health and social services to Town of Huntington senior citizens; and

WHEREAS, the Town and F.E.G.S wish to modify and extend the term of this Memorandum of Understanding for the period January 1, 2011 through December 31, 2011; and

WHEREAS, pursuant to the subject modification and extension of the Memorandum of Understanding, the minimum documented cost for the supportive services, provided by the Town during the term of this extension period shall be THIRTY THOUSAND SIX HUNDRED SIX AND NO/100 (\$30,606.00) DOLLARS of which FOUR THOUSAND SIX HUNDRED SIX AND NO/100 (\$4,606.00) DOLLARS shall be payable by F.E.G.S to the Town and the Town shall document no less than an additional TWENTY SIX THOUSAND AND NO/100(\$26,00.00) DOLLARS in actual expenses incurred by the Town in support of the Hands on Huntington initiative; and

WHEREAS, executing a modification and extension of a Memorandum of Understanding is not an action defined by 6 N.Y.C.R.R. of 617.2 (b) and therefore requires no further SEQRA review.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a modification and extension of the Memorandum of Understanding with F.E.G.S, and any documents in connection therewith, located at 315 Hudson Street, New York, New York, 10013, for the period January 1, 2011 through December 31, 2011 whereby minimum documented cost for supportive services provided by the Town shall be THIRTY THOUSAND SIX HUNDRED SIX AND NO/100 (\$30,606.00) DOLLARS of which FOUR THOUSAND SIX HUNDRED SIX DOLLARS

2011-280

NO/100 (\$4,606.00) DOLLARS shall be payable by F.E.G.S to be recorded in Operating Budget Item A1977 and the Town shall provide a match of TWENTY SIX THOUSAND AND NO/100 (\$26,000.00) DOLLARS through the provision of in-kind services and on such terms and conditions as may be acceptable to the Town Attorney nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilamn Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AMENDMENT TO A LICENSE AGREEMENT WITH THE LONG ISLAND COMMUNITY AGRICULTURE NETWORK PROJECT OF STARFLOWER EXPERIENCES, INC. (LI-CAN) IN CONNECTION WITH A PILOT COMMUNITY GARDEN AT GATEWAY PARK AND THE CLIFFORD SOERGEL OUTREACH GARDEN

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, via Resolution 2010-85 the Town Board authorized the Supervisor to execute a license agreement with the Long Island Community Agriculture Network (LI-CAN) Project of Starflower Experiences, Inc., Fox Hollow Farm, 47 Foxhurst Road, South Huntington, New York, to assist the Town of Huntington in the development of community gardens at both Gateway Park in Huntington Station and the Clifford Soergel Outreach Garden at the Robert M. Kubecka Organic Garden in Greenlawn; and

WHEREAS, since that time the LI-CAN garden projects have served to complement and enhance existing Town efforts that support community gardening and help sustain and provide access to locally-grown healthy food, consistent with county, state and federal objectives; and

WHEREAS, the Town Board wishes to amend its license agreement with the Long Island Community Agriculture Network (LI-CAN) Project of Starflower Experiences, Inc. at Gateway Park at Lowndes and New York Avenue in Huntington Station, for the purpose of providing a framework for LI-CAN's operation of a farm stand offering for sale freshly-grown produce from the Gateway Park and Kubecka Garden properties; and

WHEREAS, the farm stand would generate needed revenue to support unfunded garden programming for Town residents at the Town's community garden properties, including but not limited to education of children and adults in community gardening technique and nutrition, the purchase of seeds, seedlings and other garden materials; and

WHEREAS, the proposed amendment of a community garden use license agreement is classified Type II pursuant to 6 NYCRR 617.5(c)(20) and (27) and as it is consistent with and supports the intent of Chapter 95 (Community Garden Program) of Town Code; thus, no further review is required pursuant to SEQRA;

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute amendments to the license agreements with the Long Island Community Agriculture Network Project of Starflower Experiences, Inc. (LI-CAN) in connection with Gateway Park and the Clifford Soergel Outreach Garden at the Robert M. Kubecka Organic Garden, so as to permit produce

grown on site to be sold and the proceeds used to in order to assist the Town in providing community gardening educational and administrative services, on the following terms and conditions and subject to such other terms and conditions acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH SUFFOLK COUNTY TO OBTAIN OPERATING ASSISTANCE FOR THE TOWN'S MASS TRANSIT (HART) BUS SYSTEM

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Town of Huntington owns and operates a mass transit bus system; and

WHEREAS, New York State and Suffolk County provide an operating assistance program and a reduced fare program for the Town's bus system by agreement with Suffolk County; and

WHEREAS, Town Board Resolution # 2009-296 authorized the Supervisor to execute a State Transit Operating Assistance (STOA) agreement with Suffolk County for the provision of operating funding assistance for the Town's mass transit (HART) bus system for the period of January 1, 2009 through December 31, 2011; and

WHEREAS, the original agreement executed in 2009 was for a three year period (2009-2011) to provide mass transit bus and reduced fare services within the Town and sets forth the funding for the first year (2009) only and requires an annual revision setting forth the funding award for each calendar year thereafter (2010 and 2011); and

WHEREAS, an amendment to the STOA Agreement is required to incorporate the calendar year 2011 funding of \$805,585.00; and

WHEREAS, pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)(20), this action involves routine agency administration, which is a Type II action, and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an amendment to the 2009-2011 State Transit Operating Assistance Agreement with Suffolk County, and any documents in connection therewith, to obtain additional operating assistance in the amount of EIGHT HUNDRED FIVE THOUSAND FIVE HUNDRED EIGHTY-FIVE AND NO/100 DOLLARS (\$805,585.00) of which SEVEN HUNDRED SEVENTEEN THOUSAND FIVE HUNDRED EIGHTY-FIVE AND NO/100 DOLLARS (\$717,585.00) will be recorded in Operating Budget Item A3594, and EIGHTY-EIGHT

2011- 282

THOUSAND AND NO/100 DOLLARS (\$88,000.00) will be recorded in Operating Budget Item A3595 for the Town's mass transit (HART) bus system for the period of January 1, 2011 through December 31, 2011, and on such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH THE HUNTINGTON YMCA FOR USE OF THE DIX HILLS PARK POOL IN SUMMER 2011

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND, COUNCILWOMAN JACKSON, COUNCILMAN CUTHBERTSON**

WHEREAS, the Town of Huntington wishes to make the Dix Hills Park Pool available to the Huntington YMCA swim team from June 26 through August 19, 2011 between the hours of 6:00 a.m. and 8:00 a.m. Monday through Friday; and

WHEREAS, the YMCA agrees to provide a certified lifeguard and staff at all times when using the pool and will provide the necessary insurance coverage naming the Town of Huntington as additionally insured certificate holder; and

WHEREAS, the YMCA will pay the Town of Huntington \$20.00 per hour for the use of the pool; and

WHEREAS, an agreement with the Huntington YMCA for use of Dix Hills Park Pool is not an action as defined by to 6 N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection therewith, with the Huntington YMCA, 60 Main Street, Huntington NY 11743 for use of the Dix Hills Park Pool from June 26, 2011 to August 19, 2011 between the hours of 6:00 a.m. and 8:00 a.m., Monday through Friday, at a fee of \$20.00 per hour, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE USE OF DIX HILLS PARK POOL BY THE CHILDREN OF WHITMAN VILLAGE HOUSING DEVELOPMENT, GATEWAY GARDENS AND MILLENIUM HILLS AND FAMILY SERVICE LEAGUE UPON PAYMENT OF A FLAT FEE FOR THE SUMMER OF 2011

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone

Councilwoman Jackson, **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Whitman Village Housing Development, 160A Lowndes Avenue, Huntington Station, NY 11746, Gateway Gardens and Millennium Hills, 1A Lowndes Avenue, Huntington Station, NY 11746 and Family Service League, 790 Park Avenue, Huntington, NY 11743 have expressed a desire to provide an additional recreational outlet for the children in their community during the summer of 2011; and

WHEREAS, they have requested that the children in their housing community be allowed the use of Dix Hills Park Pool upon the presentation of proper identification for a flat fee of ONE HUNDRED AND NO/100 (\$100) DOLLARS per complex; and

WHEREAS, the use of Dix Hills Park Pool for this purpose is a Type II action, pursuant to 6 N.Y.C.R.R. Section 617.5 (c) (20) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the use of Dix Hills Park Pool by the children of Whitman Village Housing Development, Gateway Gardens, Millennium Hills and Family Service League upon payment of a flat fee of ONE HUNDRED AND NO/100 (\$100) DOLLARS per complex for the summer of 2011.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE USE OF DIX HILLS GOLF COURSE BY THE SPECIAL OLYMPICS LONG ISLAND REGION TO CONDUCT A GOLF PROGRAM FOR ATHLETES WITH SPECIAL NEEDS

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND, COUNCILMAN MAYOKA** and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Special Olympics Long Island Region has requested permission to use Dix Hills Golf Course and have fees waived for their Special Olympic Golf Program Sunday evenings from June 26 to October 2, 2011 starting 5:30 p.m. to 8 p.m.; and

WHEREAS, the Special Olympics will be allowed the weekly use of Dix Hills Golf Course with the understanding that they may have to limit their schedule if conflicts arise or course crowding issues develop with the general public during peak usage periods; and

WHEREAS, Athletes will use the driving range and practice putting on the green, and those with proper skill level will play on the course during this time; and

WHEREAS, the Department of Parks and Recreation in cooperation with KempSports Management is desirous of accommodating their request; and

WHEREAS, the use of Dix Hills Golf Course for the purpose stated above is not an action as defined by 6 N.Y.C.R.R. §617.2 (b), and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY APPROVES the use of Dix Hills Golf Course by the Special Olympics Long Island Region, 819 Grand Blvd., Suite 3, Deer Park, New York 11729, to conduct a golf program for athletes with special needs and waives all fees, exclusive of golf cart fees, on Sunday evenings from June 26 to October 2, 2011.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011 - 286

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION OF THE AGREEMENT WITH SWEET HILLS EQUESTRIAN STABLES D/B/A SWEET HILLS EQUESTRIAN CENTER TO PROVIDE A HORSEBACK RIDING FACILITY AND LESSONS AT WEST HILLS PARK

Resolution for Town Board Meeting Dated:

June 6, 2011

The following resolution was offered by **COUNCILWOMAN JACKSON**

and seconded by **SUPERVISOR PETRONE**

WHEREAS, Town Board Resolution 2008-669 authorized the Supervisor to enter into an agreement with Sweet Hills Equestrian Stables, D/B/A Sweet Hills Equestrian Center, to provide a horseback riding facility and lessons at West Hills Park in Huntington with two (2) one (1) year options to renew exercised at the sole discretion of the Town; and

WHEREAS, the Town of Huntington Department of Parks and Recreation and Sweet Hills Equestrian Center are desirous of exercising the first one (1) year seasonal option to renew with all the provisions of the original 2008 contract remaining in full force and effect; and

WHEREAS, the Town agrees to pay Sweet Hills Equestrian ONE-HUNDRED TWENTY AND NO/CENTS (\$120.00) DOLLARS for each participant, and the Town will charge each participant as follows:

Youth with Recreation Card	\$140.00
Youth without Recreation Card	\$165.00
Adult with Recreation Card	\$150.00
Adult without Recreation Card	\$175.00

WHEREAS, the execution of an extension agreement is not an action as defined by 6 N.Y.C.R.R. section 671.2 (c) (20), and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute the first one (1) year seasonal extension of the agreement with Sweet Hills Stables, D/B/A Sweet Hills Equestrian Center, 129 Palermo Street, Central Islip NY 11722 to provide a horseback riding facility and lessons at West Hills Park in Huntington from June 14, 2011 through November 30, 2011, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011 - 286

VOTE:

AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone
Councilwoman Susan A. Berland
Councilman Mark A. Cuthbertson
Councilwoman Glenda A. Jackson
Councilman Mark Mayoka

AYE
AYE
AYE
AYE
NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH SWIFTREACH NETWORKS, INC. FOR PUBLIC EMERGENCY NOTIFICATION SERVICES

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town has a need to relay important public safety information and instructions to the public during extreme weather events and other circumstances impacting public safety; and

WHEREAS, the Town is desirous of implementing a centralized method for effectively and quickly communicating public safety information to the public; and

WHEREAS, state of the art technology exists for the Town to transmit information to the public by phone, email or text message in a cost-effective manner; and

WHEREAS, written quotes were requested and evaluated from providers of telephonic notification services, and

WHEREAS, SwiftReach Networks, Inc. with its principal place of business at 31 Industrial Avenue, Mahwah, NJ 07430 offered the services needed at the lowest cost; and

WHEREAS, the execution of this agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract for public notification services with SwiftReach, Inc., and any documents in connection therewith, not to exceed TWENTY TWO THOUSAND NINE HUNDRED NINETY-FIVE AND NO/100 (\$22,995.00) DOLLARS plus any additional customization services needed at an hourly rate of ONE HUNDRED FIFTY AND NO /100 (\$150.00) DOLLARS per hour to be charged to Operating Budget Item A6410-4570 for a one (1) year term commencing upon date of execution with two (1) one-year options to renew, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND AND NEIGHBORHOOD PARKS FUND FOR RECOMMENDED PARK IMPROVEMENT (SUNSHINE ACRES PARK)

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND,
COUNCILWOMAN JACKSON**
and seconded by: **SUPERVISOR PETRONE**

WHEREAS, Resolution No. 2003-569 was adopted at a meeting of the Town Board on August 27, 2003 and said resolution authorized the issuance of \$30,000,000 serial bonds of the Town of Huntington for the Environmental Open Space and Park Improvement Fund, subject to mandatory referendum that was supported by Huntington voters, for which \$7 million was to be used for park improvements, and

WHEREAS, Resolution No. 2008-481 was adopted at a meeting of the Town Board on August 26, 2008 and said resolution authorized the issuance of \$15,000,000 serial bonds of the Town of Huntington for the Environmental Open Space and Park Improvement Fund, subject to mandatory referendum that was supported by Huntington voters, for which \$5 million was to be used for park improvements, and

WHEREAS, Sunshine Acres Park was rebuilt in 2010 using EOSPA Program and Neighborhood Parks Fund support that was authorized by Town Board resolutions #2000-392 and 2009-304 and, since its reopening and increased park use, the Directors of Engineering Services and Transportation and Traffic Safety have determined that a traffic signal is necessary to enhance safe access at the park, and

WHEREAS, the EOSPA Committee reviewed and voted to support a nomination submitted by the Director of Engineering Services at its meeting of May 10, 2011 to recommend installation of a new mast arm traffic signal on Townline Road to be fixed to the Sunshine Acres property and necessary curbing radius adjustment in an amount not to exceed \$115,000 to be split between the EOSPA Program and the Neighborhood Parks Fund, and

WHEREAS, installation of traffic control devices on existing streets, roads and highways and is classified Type II pursuant to 6 NYCRR 617.5(c) (16);

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund and from Neighborhood Parks TA-0037-A9301, in addition to funding that may have already been authorized for these projects, and charged to the appropriate capital budget account for the park improvement recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

DEPARTMENT OF GENERAL SERVICES

Sunshine Acres Park, not to exceed \$115,000

Install new traffic signal at access to Sunshine Acres Park on Townline Road and adjust radius of curblineline to coincide with the improvement

AND BE IT FURTHER

RESOLVED, that should additional funding be necessary to implement the above-listed project approved by the Town Board, including design and engineering of the specific improvements that may need to be contracted to outside consulting professionals, the EOSPA Committee may recommend additional funding to the Town Board.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED NEIGHBORHOOD ENHANCEMENT (GATEWAY-NEW YORK AVENUE WALL)

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone , **COUNCILWOMAN JACKSON**
and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Resolution No. 2003-569 was adopted at a meeting of the Town Board on August 27, 2003 and said resolution authorized the issuance of \$30,000,000 serial bonds of the Town of Huntington for the Environmental Open Space and Park Improvement Fund, subject to mandatory referendum that was supported by Huntington voters, for which \$3 million was to be used for neighborhood enhancement projects, and

WHEREAS, Resolution No. 2008-481 was adopted at a meeting of the Town Board on August 26, 2008 and said resolution authorized the issuance of \$15,000,000 serial bonds of the Town of Huntington for the Environmental Open Space and Park Improvement Fund, subject to mandatory referendum that was supported by Huntington voters, for which \$4 million was to be used for neighborhood enhancement projects, and

WHEREAS, the EOSPA Committee reviewed a neighborhood enhancement nomination from the Director of Engineering Services to replace the existing deteriorated concrete retaining wall with a masonry block wall and wrought iron safety fence on Route 110 between Lowndes Avenue and Academy Place, and also along the frontage of Gateway Park, and voted at its meeting on May 10, 2011 to recommend implementation of the proposal with funding from the EOSPA Program, and

WHEREAS, the proposed wall replacement project is consistent with and complements the ongoing Route 110 Streetscaping project that has been supported by the Town Board, Huntington Economic Development Corporation, and EOSPA Committee, and

WHEREAS, the proposed project is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(2) as it involves reconstruction of an existing structure, in kind, on the same site and will be conducted under an existing NYSDOT work permit; thus, no further review is required pursuant to SEQRA;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund, in addition to funding that may have already been authorized for these projects, and charged to the appropriate capital budget account for the neighborhood

enhancement recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

DEPARTMENT OF ENGINEERING SERVICES

Gateway-New York Avenue Wall, not to exceed \$350,000

Remove existing concrete retaining wall and construct new masonry block wall with wrought iron safety fence on west side of New York Avenue

AND BE IT FURTHER

RESOLVED, that should additional funding be necessary to implement the above-listed project approved by the Town Board, including design and engineering of the specific improvements that may need to be contracted to outside consulting professionals, the EOSPA Committee may recommend additional funding to the Town Board.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING COMPTROLLER TO REAPPROPRIATE MONIES FROM NEIGHBORHOOD PARKS FUND FOR VETERANS PARK

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by **COUNCILWOMAN BERLAND**

and seconded by **COUNCILWOMAN JACKSON**

WHEREAS, by resolution of October 19, 2005 the Town Board allocated \$140,000 from the Neighborhood Parks Fund to renovate the lower soccer field #4 at Veterans Park in East Northport; however, the final design of the Veterans Parks Complex superseded the individual field renovation project and resulted in replacement of that field with the Boundless Playground and Skatepark and two new synthetic athletic fields were added on the adjoining property, and

WHEREAS, the EOSPA Committee reviews proposed allocations from the Neighborhood Parks Fund, which is supported through subdivision park and playground fees and was established for the purchase or improvement of neighborhood parks or playgrounds, and

WHEREAS, the Director of General Services requested use of the earmarked \$140,000 to rehabilitate and reconstruct the six courts at Veterans Park (two volleyball, two basketball, and two handball) and the EOSPA Committee recommended implementation of the proposal with funding reallocated from the Neighborhood Parks Fund at their meeting on May 10, 2011, and

WHEREAS, the proposed action is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(2) as it involves replacement, rehabilitation and upgrading of existing recreational facilities, and therefore, is not subject to further SEQRA review;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to reappropriate funds from soccer field improvements to court improvements at Veterans Park in the amount of ONE HUNDRED AND FORTY THOUSAND AND NO/100 (\$140,000.00) DOLLARS on an as-needed basis to be transferred from TA-0037-A9301 (Neighborhood Parks) and charged to the appropriate capital budget account.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2011 OPERATING BUDGET FOR SNOW REMOVAL EXPENSES FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – HIGHWAY DEPARTMENT

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, as a result of multiple snowstorms, accumulated salt and sand must be cleaned out of the Town's catch basins to prevent environmental and flooding damage; and

WHEREAS, the Town Board established a Snow and Ice Removal Reserve Fund (DB-0835) under GML section 6-f for the removal of snow and ice and for repairing and maintaining roadways, to the extent damage to such roadways was caused by the removal of snow and ice; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgetary amendments; and

WHEREAS, amending the 2011 Budget is not an action pursuant to SEQRA as defined by 6 N.Y.C.R.R. §617.5 (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2011 Operating Budget as follows:

Increase the following Revenue:

DB-0511R	Appropriated Reserve	(\$115,000)
----------	----------------------	-------------

Decrease the following appropriation:

DB-5110-1100	Regular Salaries	(\$226,000)
--------------	------------------	-------------

Increase the following appropriation:

DB-5142-1100	Regular Salaries	\$305,000
DB-5142-1300	Overtime Salaries	30,000
DB-5142-8020	Social Security	6,000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2011 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, pursuant to Town Board Resolution 2008-569 each position listed below has been evaluated and deemed to be necessary for the continuation of essential Town services and for the safety and welfare of the community; and

WHEREAS, in order to be in compliance with a recent arbitration decision the Town must create and abolish certain positions within the Highway Department; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgetary amendments; and

WHEREAS, amending the 2011 Budget is not an action pursuant to SEQRA as defined by 6 N.Y.C.R.R. §617.5 (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2011 Operating Budget as follows:

Create the following positions:

A-7181-1100	Laborer	\$16,310
DB-5110-1100	Dispatcher	19,894
DB-5110-1100	Heavy Equipment Operator II	69,231
DB-5110-1100	Maintenance Mechanic IIID	71,870
DB-5110-1100	Tree Trimmer I	69,231

Reinstate the following positions:

B-3622-1100	Ordinance Inspector	\$31,970
B-8025-1100	Planning Board	9,483
B-8025-1100	Planning Board	9,483
B-8010-1100	Zoning Board	9,483
DB-5110-1100	Dispatcher	19,894
DB-5110-1100	Heavy Equipment Operator II	69,231

DB-5110-1100	Labor Crew Leader I	43,299
DB-5110-1100	Labor Crew Leader III	47,171
DB-5110-1100	Labor Crew Leader III	47,171

Abolish the following positions:

A-7181-1100	Heavy Equipment Operator	(\$35,720)
DB-5110-1100	Auto Equipment Operator	(36,737)

Adjust the following positions:

DB-5110-1100	Auto Equipment Operator	(\$38,595)
DB-5110-1100	Auto Equipment Operator	(38,595)
DB-5110-1100	Auto Equipment Operator	(38,595)
DB-5110-1100	Auto Equipment Operator	(38,595)
DB-5110-1100	Auto Equipment Operator	(38,595)
DB-5110-1100	Guard	(37,501)
DB-5110-1100	Heavy Equipment Operator I	28,321
DB-5110-1100	Labor Crew Leader II	32,924

Adjust the following Appropriations:

A-1990-1100	Contingency	\$19,410
B-1990-1100	Contingency	(60,419)
DB-1990-1100	Contingency	(172,225)
DB-5142-1100	Highway Snow	(78,799)

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

A RESOLUTION AUTHORIZING THE CREATION OF A CEMETERY STEWARDS PROGRAM

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Councilwoman Berland

And seconded by: **COUNCILWOMAN JACKSON**

WHEREAS throughout the Town there are sixty historic cemeteries with no custodian or entity responsible for their maintenance; and

WHEREAS under Town Law § 291, it is the responsibility of the Town to maintain such cemeteries; and

WHEREAS the Town wishes to provide a system whereby residents can assist the Town in its maintenance responsibilities; and

WHEREAS the creation of such a program is not an action under SEQRA as defined by 6 NYCRR § 617.2(b) and, therefore, no SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the creation of a Cemetery Stewards Program as outlined in the attached Schedule A.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule A

Huntington Historic Cemetery Stewards Program

Purpose: The Town of Huntington is committed to the continued preservation and maintenance of historic cemeteries located throughout the town. This program seeks community volunteers to assist the Town in meeting its preservation and maintenance goals.

Mission: Cemetery Stewards will periodically audit and monitor the Town's historic cemeteries, and routinely advise designated Town authorities of needed maintenance, such as lawn mowing, leaf raking and removal, fence painting and repair, tree and brush pruning, fallen tree limb and tree removal, weeding, signage maintenance, gravestone repair, repairs of vandalism, etc.

Setting the Benchmark: The Town of Huntington is legally responsible for the maintenance and care of some 60 historic cemeteries. At the initiation of this program the Town Historian will identify and inventory all the cemeteries mandated for care. Each cemetery will be given a preliminary site status evaluation, chronicling the cemetery's condition. Upon completion of the Town-wide inventory and status evaluation, a plan of preservation action for each cemetery will be established. Preservation and protection plans will vary depending on the size, location, condition, historical significance, and accessibility. Preservation best practices will be applied. Some cemeteries, i.e. isolated burial locations with only one or two graves, should most probably be left undisturbed, and should be checked occasionally by neighbors for any vandalism. Larger, readily accessible and more significantly historic cemeteries should have established routine maintenance plans including grass mowing, leaf raking, tree pruning, trash removal, etc.

Volunteer Steward's Role and Function: The primary role of a Steward is to be an attentive observer, and guardian of the historic cemeteries. The Stewards are to routinely visit (suggested at least four times a year) an assigned cemetery, and audit its condition against an established benchmark standard. A status report including recommendations for maintenance, repair, and future action should be sent to the Town Historian. The role of the Stewards is not to do the necessary maintenance themselves or to arrange for such work directly. All work must be conducted under the Town Historian's guidance and direction.

Volunteer Steward Requirements: Stewards can be concerned neighbors to historic cemeteries, community volunteers, or persons with special interests, skills or experience in cemetery maintenance or preservation. Persons with appropriate professional skills or experience such as landscapers, arborists, historians, masons, the clergy, etc. would be encouraged to participate, not only as Stewards for an individual cemetery but as a resource to consult with other Stewards in the program. Stewards need to be able dedicate the required time to conduct the audits, and should be a minimum of 18 years of age.

The Role of the Town Historian:

The Town Historian will coordinate the program and maintain an up to date list of all Cemetery Stewards and the cemeteries for which they are responsible. The Town Historian will receive all status reports and will arrange for the Department of General Services or outside contractors, if needed, to perform the required work. The Town Historian will develop a report form for Stewards to complete after each inspection.

Huntington Historic Cemetery Stewards Program

Volunteer Application

Name: _____

Address: _____

Telephone: _____ e-mail: _____

Profession: _____

Special Skills and Experience Relevant to this Program:

Statement Indicating Applicant's Interest in this Program:

2011-294

RESOLUTION AUTHORIZING THE CORRECTION OF CODE VIOLATIONS AT VARIOUS LOCATIONS PURSUANT TO THE CODE OF THE TOWN OF HUNTINGTON AND/OR THE UNIFORM CODES OF THE STATE OF NEW YORK

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND,**
COUNCILWOMAN JACKSON

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, violations of the Code of the Town of Huntington and/or the Uniform Codes of the State of New York exist at the locations set forth in Schedule "A", attached hereto and made part of this Resolution, which constitute an attractive nuisance, negatively affect the aesthetic appearance of our neighborhoods, and jeopardize the health and safety of residents in close proximity to these properties; and

WHEREAS, the owner(s) of properties listed in Schedule "A" have failed and/or refused to bring their properties into compliance after a Notice of Violation has been issued by the Department of Public Safety; and

WHEREAS, the correction of code violations by the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 c. (33) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY DIRECTS the Town Attorney to provide each property owner listed in Schedule "A" with a copy of this Resolution, and notice that such violation must be rectified to the satisfaction of the Town within ten (10) days of mailing of the Notice, and upon the failure to remedy the same on a timely basis, the Town shall take all steps necessary to rectify the hazard or nuisance at the property owner's expense; and

HEREBY AUTHORIZES, the Director of the Department of General Services and other Town departments having jurisdiction, to take all actions necessary to correct the violations on these properties upon the failure of the owners to do so, and charge all costs incurred by the Town against the owners of the properties in the same manner and at the same time as real property taxes in accordance with the applicable provisions of the Code of the Town of Huntington or other applicable law.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-294

Schedule A

Chapter 87, Section 81 of the Code of the Town of Huntington
Authorizing the Securing of a Pool Fence

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
2 Pine Hill Ct. Northport, NY 11768	0400-081.00-08.00-016.000	Iris Cervantes	05/19/2011	N/A

Chapter 133, Section 2A of the Code of the Town of Huntington
Authorizing the Removal of Litter and Debris

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
57 W. Pulaski Rd. Huntington Station, NY 11746	0400-141.00-03.00-048.000	Crafton Ferguson	05/26/2011	N/A
110 W. Pulaski Rd. Huntington Station, NY 11746	0400-141.00-05.00-006.000	Jose Cruz	05/26/2011	N/A
138 Wyman Ave. Huntington Sta., NY 11746	0400-099.00-05.00-007.000	Myra Ticker	05/31/2011	N/A

2011-294

Chapter 156, Section 46A of the Code of the Town of Huntington
Authorizing the Removal of the Overgrown Weeds and Grass

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
115 East 23 rd St. Huntington Sta., NY 11746	0400-199.00-03.00-067.000	Diane J. Bullock Hugh Bullock, Jr.	05/26/2011	N/A
7 Donovan Dr. Cold Spring Harbor, NY 11724	0400-091.00-03.00-023.000	Steven Wiener	05/13/2011	N/A
2 Pine Hill Ct. Northport, NY 11768	0400-081.00-08.00-016.000	Iris Cervantes	05/19/2011	N/A
57 W. Pulaski Rd. Huntington Station, NY 11476	0400-141.00-03.00-048.000	Crafton Ferguson	05/26/2011	N/A
110 W. Pulaski Rd. Huntington Station, NY 11745	0400-141.00-05.00-006.000	Jose Cruz	05/26/2011	N/A
53 Thorney Ave. Huntington Sta., NY 11746	0400-200.00-01.00-001.000	Bruce L. Morgan Beverly Morgan	05/26/2011	7 Gilbert Dr. Hyde Park, NY 12538
138 Wyman Ave. Huntington Sta., NY 11746	0400-099.00-05.00-007.000	Myra Ticker	05/31/2011	N/A

RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM AND AMENDING
RESOLUTION NO. 2011-53 (Rameriz/Flores v. Town of Huntington)

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, on August 17, 2010 a Notice of Claim was filed against the Town of Huntington on behalf of Pedro Rameriz, an infant by his mother and natural guardian, Antonia Flores, seeking to recover damages sustained in an accident which occurred on July 7, 2010; and

WHEREAS, on February 1, 2011 the Town Board authorized a settlement of the matter by Resolution No. 2011-53 in the sum of Ten Thousand (\$10,000) Dollars subject to an Infant Compromise Order and subject to the receipt of closing documents; and

WHEREAS, the Town Attorney has recommended that the offer of settlement be amended to include payment of medical expenses in the additional sum of \$1,266.00 over the amount previously approved, without an admission of liability; and

WHEREAS the claimants have agreed to this amended settlement subject to the approval of the Town Board and an Infant Compromise Order of the Court; and

WHEREAS the settlement of this personal injury lawsuit is not an action as defined by 6 NYCRR 62b17 and therefore no further SEQRA review is required

NOW THEREFORE THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to issue checks in settlement of this matter not to exceed a total of ELEVEN THOUSAND TWO HUNDRED AND SIXTY-SIX AND NO/100 (\$11, 266.00) DOLLARS pending receipt of closing papers therein, and subject to an Infant Compromise Order, applied against Budget Line Item No. A19304160 and authorizes the Town Attorney to execute all documents required to effectuate this settlement; and

HEREBY AMENDS, Resolution No. 2011-53 to the extent it authorizes a settlement amount therein.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone **AYE**
Councilwoman Susan A. Berland **AYE**
Councilman Mark A. Cuthbertson **AYE**
Councilwoman Glenda A. Jackson **AYE**
Councilman Mark Mayoka **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION ACCEPTING A DONATION FROM SAFEGUARD CREDIT COUNSELING FOR THE YOUTH FINANCIAL FORUM, NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Councilwoman Jackson

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington believes that our youth is our greatest asset; and

WHEREAS, the Town of Huntington is desirous of taking the lead in creating financially educated and responsible citizens who will be able to make sound financial decisions throughout their lives, and has sponsored a Youth Financial Forum on May 25, 2011; and

WHEREAS, Mr. Donald Mastroianni, CFO of Safeguard Credit Counseling donated 5 Mets tickets at \$49.50 each with prepaid stadium parking (\$19.00) for a total donation of \$266.50 to the Youth Financial Forum; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS the donation for the Town of Huntington Youth Financial Forum on May 25, 2011 and thanks Safeguard Credit Counseling CFO Mr. Donald Mastroianni for his generosity, nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING VOLUNTEER PARK STEWARDS

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Park Stewardship Program, initiated in 1990 and coordinated through the Huntington Conservation Board and the Departments of Parks and Recreation and Planning and Environment, serves a vital purpose of providing surveillance and maintenance support on Town-owned park properties, and

WHEREAS, Town Board-appointed Volunteer Park Stewards file periodic monitoring reports and notify the Town of actual or potential hazards or abuse to the ecological integrity of the park(s), and

WHEREAS, the appointment of park stewards is not an action as defined by SEQRA in 6 NYCRR 617.2(b); therefore, no SEQRA review is required;

NOW, THEREFORE, THE TOWN BOARD

HEREBY APPOINTS Volunteer Park Stewards for specific parks as follows:

Ciaran Clark, 15 Makamah Beach Road, Northport, NY 11768
Geisslers Beach and Jerome Ambro Memorial Wetlands Preserve

Susan Gessner, 4 Marion Court, Northport, NY 11768
Veterans Park

Paul Warburgh, 324 Park Avenue, Huntington, NY 11743
Village Green

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING A DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone, COUNCILWOMAN JACKSON, COUNCILMAN CUTHBERTSON

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, the appointment of personnel is not an action as defined by 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY APPOINTS

Kenneth F. Lindahl, Jr.
30 Lawrence Drive
Brightwaters, NY 11718

as Director of the Department of Public Safety, effective Monday, June 6, 2011, for an annual salary not to exceed the sum of ONE HUNDRED TWENTY THOUSAND AND NO/100 (\$120,000.00) DOLLARS.

HEREBY AUTHORIZES the Comptroller to amend the 2011 Operating Budget as follows:

Reinstate the following position:

A-1680-1100 Director of Public Safety \$67,900.00

Adjust the following Appropriations:

A-1990-1100 Contingency (\$67,900.00)

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

Supervisor Frank P. Petrone AYE
Councilwoman Susan A. Berland AYE
Councilman Mark A. Cuthbertson AYE
Councilwoman Glenda A. Jackson AYE
Councilman Mark Mayoka ABSTAIN

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION CLASSIFYING ROUND 8 SUFFOLK COUNTY DOWNTOWN
REVITALIZATION GRANT PROJECTS PURSUANT TO THE STATE
ENVIRONMENTAL QUALITY REVIEW ACT

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County of Suffolk participates with local governments in the development, support and funding of projects located in Suffolk County that will have an important and sustainable impact on downtowns and business districts; and

WHEREAS, the County of Suffolk requires a SEQRA analysis from the sponsoring municipality for all projects that have been selected for grant funding under Round 8; and

WHEREAS, the Town of Huntington Economic Development Corporation received funding to micropave and stripe the May Street municipal parking lot in Huntington Station; and

WHEREAS, the East Northport Chamber of Commerce received funding for continuing streetscape improvements on Larkfield Road; and

WHEREAS, the Huntington Historical Society received funding to replace a retaining wall and construct a handicapped ramp at the Soldiers & Sailors Building on Main Street; and

WHEREAS, the Huntington Village Business Improvement District received funding for streetlights in the Gerard Street municipal parking lot in Huntington Village; and

WHEREAS, the Greenlawn Civic Association received funding for continuing streetscape improvements on Broadway in Greenlawn; and

WHEREAS, all five Round 8 grant projects are classified Type II pursuant to SEQRA 6 NYCRR 617.5(c) (1) and (c) (2), thus, no further review is required;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby classifies the Round 8 capital improvement projects as Type II actions pursuant to the State Environmental Quality Review Act.

2011-299

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION CLASSIFYING ROUND 9 SUFFOLK COUNTY DOWNTOWN
REVITALIZATION GRANT PROJECTS PURSUANT TO THE STATE
ENVIRONMENTAL QUALITY REVIEW ACT

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA, COUNCILWOMAN JACKSON**

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County of Suffolk participates with local governments in the development, support and funding of projects located in Suffolk County that will have an important and sustainable impact on downtowns and business districts; and

WHEREAS, the County of Suffolk requires a SEQRA analysis from the sponsoring municipality for all projects that have been selected for grant funding under Round 9; and

WHEREAS, the Huntington Village BID received funding to add streetlights on New Street from Main Street to Carver Street; and

WHEREAS, the Greenlawn Civic Association received funding to continue streetscape rehabilitation along Broadway in Greenlawn; and

WHEREAS, the above Round 9 grant projects are classified Type II pursuant to SEQRA 6 NYCRR 617.5(c) (2) and (c) (11), thus, no further review is required;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby classifies the Round 9 capital improvement projects as Type II actions pursuant to the State Environmental Quality Review Act.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION CLASSIFYING ROUND 10 SUFFOLK COUNTY DOWNTOWN REVITALIZATION GRANT APPLICATION PROJECTS PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County of Suffolk participates with local governments in the development, support and funding of projects located in Suffolk County that will have an important and sustainable impact on downtowns and business districts; and

WHEREAS, the Cold Spring Harbor Main Street Association and East Northport Chamber of Commerce have each applied for grant funding under Suffolk County's Round 10 Grant program to continue work in rehabilitating their respective downtown streetscapes with new sidewalks and decorative streetlights; and

WHEREAS, as part of the application process, the County of Suffolk requires a SEQRA analysis and classification of any proposed projects from the sponsoring municipality; and

WHEREAS, both of the proposed Round 10 streetscape projects are classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(2), thus, no further review is required pursuant to SEQRA;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby classifies the proposed Round 10 Cold Spring Harbor Main Street Association and East Northport Chamber of Commerce streetscape grant application projects as Type II actions pursuant to the State Environmental Quality Review Act.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-302

RESOLUTION DECLARING CERTAIN EQUIPMENT AND VEHICLES AS SURPLUS AND/OR OBSOLETE AND AUTHORIZES THE SALE AT AUCTION, TRADE IN OR DISPOSAL OF THE SAME.

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND, COUNCILMAN MAYOKA**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Town of Huntington Department of Audit and Control is responsible for the disposition of Town wide Fixed Asset Surplus and/or Obsolete Inventory; and

WHEREAS, the Department of Audit and Control, Division of Purchasing wishes to dispose of equipment through trade in, public auction, or disposal for scrap, in a manner that proves to be most cost effective to the Town of Huntington; and

WHEREAS, the disposal of surplus government property is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (25) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY DECLARES the 2002 Gehl Skid Steer with Bucket, Model 6635 DXT Series II, Serial No. SL6635DXT11, Town Inventory No. 3767, as surplus and/or obsolete and authorizes the sale of same at auction, or trade in, or disposal for scrap.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION DESIGNATING THE PLAYGROUND IN JOHN WALSH PARK IN EAST NORTHPORT TO BE KNOWN AS "ANN AND CONNELLE'S PLAYGROUND"

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN JACKSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the untimely death of Ann Pabo and her son Connelle has profoundly impacted their neighbors and friends; and

WHEREAS, Ann and Connelle Pabo, Town of Huntington residents who frequently used the playground in John Walsh Park in East Northport, were victims of domestic violence; and

WHEREAS, a request has been made to designate the playground in John Walsh Park as "Ann and Connelle's Playground" with a donation of a plaque in their memory to be installed on the gate entrance to the playground, which would include a Domestic Violence Hotline phone number; and

WHEREAS, the designation of a playground is not an action as defined by SEQRA in 6 N.Y.C.R.R. §617.2 (b) and, therefore, no SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY DESIGNATES the playground in John Walsh Park in East Northport as "Ann and Connelle's Playground"; and

HEREBY DIRECTS the Director of General Services to install the appropriate signage designating same.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilwoman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION DIRECTING THE CHIEF SUSTAINABILITY OFFICER TO UNDERTAKE A LONG-RANGE ENERGY EFFICIENCY AND CAPITAL INVESTMENT PLAN FOR THE TOWN OF HUNTINGTON AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH COLLABORATIVE ENERGY GROUP

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

and seconded by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington was awarded an Energy Efficiency and Conservation Block Grant (EECBG) under the American Recovery and Reinvestment Act of 2009 (ARRA) in the amount of \$1,750,200; and

WHEREAS, the United States Department of Energy (USDOE), the federal agency administering the grant, approved Huntington's Energy Efficiency & Conservation Strategy for utilization of the EECBG funds; and

WHEREAS, Huntington's approved Energy Efficiency & Conservation Strategy details five distinct project activities: (i) replacement of municipal streetlights with high-efficiency induction fixtures, (ii) installation of a renewable solar energy system at Town Hall and (iii) LEED-based analysis of and energy efficiency retrofits to Town Hall, (iv) the creation and implementation of a residential energy efficiency education and retrofit program (Huntington EECO Homes) and (v) the preparation of an Long-Range Energy Efficiency Plan, a blueprint for the strategic conversion of buildings, fleets and electronics to energy efficient and renewable technologies over the next ten years; and

WHEREAS, the Town of Huntington is currently completing the first four projects; and the proposed long-range Energy Plan will initiate the fifth and last project of Huntington's remaining EECBG award per the Town's contract with USDOE to identify and prioritize future energy efficiency and renewable energy projects that Huntington can undertake as future capital funding becomes available; and

WHEREAS, the USDOE has authorized the Chief Sustainability Officer to engage technical assistance in the preparation of a planning document; and

WHEREAS, the proposed Plan sets specific goals and will expand the Town's baseline energy inventory of primary facilities—Town Hall, the Village Green complex and the Huntington Sewer Plant—to include natural gas, fuel oil, and electricity usage at other buildings and facilities as well as the comprehensive analysis of townwide electricity usage including metered service; and

WHEREAS, the Town's Efficiency & Conservation Strategy maximizes EECBG funds dedicated to retrofits and renewable technologies by assigning primary task of

developing a long-range capital plan to Chief Sustainability Officer, Terese M. Kinsley, PE, LEED AP; and

WHEREAS, to assist the Chief Sustainability Officer, the Town deems it advisable to retain the assistance of a professional consultant and engage engineering interns from Stony Brook University who will work under the supervision and direction of the Chief Sustainability Officer and the consultant; and

Whereas, the preparation of the planning document and contract for technical services is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(18) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY DIRECTS the Chief Sustainability Officer to undertake a long-range Energy Efficiency and Capital Investment Plan for the Town of Huntington and authorizes the execution of a contract with Collaborative Energy Group, 68 South Service Road, Melville, NY, to support the Chief Sustainability Officer in preparing a long-range Energy Efficiency and Capital Investment Plan, for an amount not to exceed FORTY-FIVE THOUSAND AND NO/100 (\$45,000.00) DOLLARS, for a term not to exceed one year, which contract shall commence upon execution and be charged to Capital Budget Item No. TT1997-4550-GT018, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-305

RESOLUTION ESTABLISHING THE STANDARD WORK DAYS FOR APPOINTED PERSONNEL FOR NEW YORK STATE AND LOCAL RETIREMENT SYSTEM REPORTING PURPOSES

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by **COUNCILMAN MAYOKA**

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, the New York State & Local Retirement System requires that the Town of Huntington establish by resolution the number of hours in a standard work day and the reportable number of days worked in a month for all elected and appointed positions; and

WHEREAS, the establishment of a standard work day and reportable number of days worked for New York State Local Retirement Services reporting purposes is not an action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY ESTABLISHES that the standard workweek for all full-time appointed employees at the Town of Huntington is seven hours per day, five days a week and such employees participate in the Town's employee time keeping system; and

FURTHER ESTABLISHES standard work days for Town of Huntington for part-time appointed officials based on the record of activities maintained and submitted by these officials to the Town Clerk per Schedule A, which is attached hereto and made a part of this resolution; and

FURTHER RESOLVES that the Town of Huntington shall report the information contained on Schedule A to the New York State and Local Employees Retirement System and will cause such information to be posted on the Town of Huntington website as per 2 NYCRR §315.4.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Town of Huntington
Appointed and Electeds
Schedule A

Title

Last Name

First Name

Standard
Work Day

Term Begins/Ends

Participates
in Employee
Time
Keeping
System

Days/Month
(Based on
record of
activities)

Deputy Superintendent of Highway
Deputy Supervisor
Confidential Secretary
Director of Information Technology

Irving
DelCol
Cartolano
Crowley

Patricia
Patricia
Kristi
William

7
7
7
7

04/06/2011-12/31/2013
01/01/2011-12/31/2013
01/24/2011-12/31/2013
10/15/2010-12/31/2013

Y
Y
Y
Y

N/A
N/A
N/A
N/A

REPLACEMENT

2011-505

RESOLUTION GRANTING PERMISSION FOR THE INCORPORATED VILLAGE OF NORTHPORT TO OPERATE OR TO PERMIT A THIRD PARTY AUTHORIZED BY THE VILLAGE TO OPERATE A FARMER'S MARKET ON PROPERTY LEASED FROM THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN JACKSON**

And seconded by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**

WHEREAS, the Incorporated Village of Northport has entered into a lease agreement with the Town of Huntington, dated February 20, 1987, to lease five (5) parcels of property owned by the Town for a term of forty (40) years; and

WHEREAS, such lease agreement provides that Parcels III and IV are not permitted to be used for any commercial, business or industrial purpose; and

WHEREAS, the Incorporated Village of Northport has requested permission to operate, or to permit an authorized third party to operate, a Farmer's Market in the Cow Harbor Park Parking Lot, bounded on the North by Main Street and on the East by Woodbine Avenue, also known as a portion of Parcel III, and further described in the lease dated February 20, 1987, and

WHEREAS, a farmers market will benefit the residents of Northport and other Huntington residents by emphasizing fresh, locally grown produce and related products, as well as furthering a sense of community by bringing residents together in a public place for a common purpose; and

WHEREAS, the granting of permission to use leased Town property for a weekly farmer's market is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(15), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED

THE TOWN BOARD, hereby grants permission to the Incorporated Village of Northport, 224 Main Street, Northport, New York 11768, to operate, or to allow an authorized third party to operate, a Farmer's Market in the Cow Harbor Parking Lot, also known as a portion of Parcel III, and further described in the lease dated February 20, 1987, on Saturdays, from 8:00 a.m. to 1:00 p.m., commencing on June 18, 2011 and ending November 19, 2011, and that any further permission for such activities shall require Town Board approval, and on such other terms and conditions as may be acceptable to the Town Attorney.

2011-306

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION URGING THE STATE OF NEW YORK TO ENACT LEGISLATION (A.3836/S.2734) REQUIRING THE TRANSFER OF CERTAIN ACREAGE OF THE FORMER PILGRIM STATE PSYCHIATRIC HOSPITAL TO THE OAK BRUSH PLAINS STATE NATURE AND HISTORIC PRESERVE

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone
Councilwoman Berland
and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, in 1987, as part of the process of decommissioning the former Pilgrim State Psychiatric Hospital, the State of New York created the Oak Brush Plains State Nature and Historic Preserve ("Oak Brush Preserve"); and

WHEREAS, at the time of the creation of the Oak Brush Preserve, the State Legislature ordered the New York State Department of General Services ("OGS") to transfer to the Oak Brush Preserve for permanent protection such lands no longer required to fulfill the mission of the Pilgrim State Psychiatric Hospital, where such lands contain or can reasonably be expected, to reestablish native foliage; and

WHEREAS, for twenty years, in contravention of the Legislative order, OGS has continued to hold title to approximately 118 acres of land which has recently been proposed for development of the Long Island Truck-Rail-Intermodal; ("LITRIM") transportation facility; and

WHEREAS, the subject lands represent the last vestiges of the traditional forest that separates the Nassau Plains from the Pine Barrens of Central Suffolk and its transfer and annexation to the existing preserve is overwhelmingly supported by State and local elected officials, area civic organizations and individual citizens; and

WHEREAS, the subject land being already in public ownership, and being previously ordered to be protected as part of the Oak Brush Preserve must be transferred in furtherance of the policy of the State of New York, County of Suffolk and the Town of Huntington to promote open space preservation; and

WHEREAS, urging the passage of the pending legislation is an action as defined by 6 NYCRR § 617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY URGES the State of New York to enact legislation (S2734/A3836) transferring to the Oak Brush Plains State Nature and Historic Preserve the remaining acreage of the former site of the Pilgrim State Psychiatric Hospital; and

2011-307

HEREBY DIRECTS the Town Clerk to forward certified copies of this resolution to Governor Andrew Cuomo, Dean G. Skelos, Temporary President of the Senate and Assemblyman Sheldon Silver, Speaker of the Assembly and the Huntington Delegation to the New York State Senate: Senator Carl Marcellino, Senator John Flanagan; the New York State Assembly: Assemblyman James Conte and Assemblyman Andrew Raia.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 12-2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS) AND ARTICLE IV (COMMERCIAL DISTRICTS).

Resolution for Town Board Meeting dated: June 6, 2011

The following resolution was offered by **COUNCILWOMAN BERLAND,**
COUNCILMAN CUTHBERTSON

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town Board is the Lead Agency as it is the only agency authorized to amend the Huntington Town Code; and

WHEREAS, this action is classified Type I pursuant to SEQRA 617.4(b)(2) as it involves the adoption of changes in the allowable uses within commercial zoning districts, affecting 25 or more acres of the district;

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby adopts the Environmental Assessment Form prepared by the Department of Planning and Environment and issues a Negative Declaration on the proposed Zoning Code amendments; and

BE IT FURTHER RESOLVED

THE TOWN BOARD, having held a public hearing on the 16th day of May, 2011 at 6:30 PM to consider adopting Local Law Introductory No. 12 - 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article IV (Commercial Districts), and due deliberation having been had;

HEREBY ADOPTS Local Law Introductory No. 12 – 2011 as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW NO. 20 -2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE I (GENERAL PROVISIONS) AND
ARTICLE IV (COMMERCIAL DISTRICTS)

Section 1. Amendment to Chapter 198 (Zoning), Article I (General Provisions) and Article IV (Commercial Districts) of the Code of the Town of Huntington.

CHAPTER 198 (ZONING)
ARTICLE I (GENERAL PROVISIONS)

* * *
§198-2. Definitions and word usage.

* * *
B. Definitions. For the purpose of this chapter, the following terms and phrases shall have the meanings indicated:

* * *
Convenience Market – A retail establishment which sells food and beverages, prepackaged or packaged within the establishment, and in a ready to consume state which may also sell newspapers, magazines and/or other sundries of a convenience nature.

* * *
Hamlet Center – An area mapped and identified as a hamlet center in the Horizons 2020 Comprehensive Plan.

* * *
Shopping Center – A property containing a building occupied by three (3) or more commercial tenants that utilize a shared parking lot.

* * *
ARTICLE IV (COMMERCIAL DISTRICTS)

* * *
§ 198-25. C-4 Neighborhood Business District.

The regulations set forth in this section or set forth elsewhere and referring to this section are intended to provide for convenience-type retail and service outlets designed principally for residential neighborhood service.

A. Use regulations. In the C-4 Neighborhood Business District, a building or premises shall be used only for the following purposes:

- * * *
(11) Convenience Markets in shopping centers, and in hamlet centers where no parking is provided on site.

* * *
§198-26. C-5 Planned Shopping Center District

The regulations set forth in this section or set forth elsewhere and referring to this section are established to provide for retail shopping facilities composed principally of groups of

retail and service establishments of integrated design, intended to serve community-wide or regional needs as well as those of local neighborhoods.

A. Use regulations. In the C-5 Planned Shopping Center District, a building or premises shall be used only for the following purposes:

* * *

(14) Convenience Markets in shopping centers, and in hamlet centers where no parking is provided on site.

* * *

E. Supplementary use regulations and conditionally permitted uses. See Article XI. In addition, the following may be allowed subject to the issuance of a special use permit by the Zoning Board of Appeals pursuant to §198-66.

(1) Freestanding Convenience Markets provided that:

(a) A Convenience Market use in a freestanding building shall have a minimum lot area of 25,000 square feet.

(b) No portion of the commercial use, including the building, parking lot, utilities, and dumpsters shall be located within twenty-five (25) feet of adjacent residentially used or zoned parcels if the convenience market use is operating between the hours of 11:00 PM and 6:00 AM. A landscape buffer with a minimum width of ten (10) feet and a double row of evergreen trees shall be planted in accordance with Town standards to reduce noise and visual impacts to adjacent residences, unless existing vegetation is determined to be more suitable for that purpose.

(c) One off-street truck loading space with a minimum width of twelve (12) feet and a minimum length of forty (40) feet shall be required. Aisles and turning areas shall provide good internal traffic circulation.

(d) Outdoor sales, storage and display of goods, including vending machines, shall be specifically prohibited.

(e) A maximum of twenty-five (25) percent of the required parking may be modified pursuant to §198-43.

* * *

§198-27. C-6 General Business District

A. Use regulations. In the C-6 General Business District, a building or premises shall be used only for the following purposes:

* * *

(24) Convenience Markets in shopping centers, and in hamlet centers where no parking is provided on site.

* * *

- C. Conditional uses. The following conditional uses shall be allowed, subject to the issuance of a special use permit by the Zoning Board pursuant to 198-66:

* * *

(11) Freestanding Convenience Markets provided that:

- (a) A Convenience Market use in a freestanding building shall have a minimum lot area of 25,000 square feet.
- (b) No portion of the commercial use, including the building, parking lot, utilities, and dumpsters shall be located within twenty-five (25) feet of adjacent residentially used or zoned parcels if the convenience market use is operating between the hours of 11:00 PM and 6:00 AM. A landscape buffer with a minimum width of ten (10) feet and a double row of evergreen trees shall be planted in accordance with Town standards to reduce noise and visual impacts to adjacent residences, unless existing vegetation is determined to be more suitable for that purpose.
- (c) One off-street truck loading space with a minimum width of twelve (12) feet and a minimum length of forty (40) feet shall be required. Aisles and turning areas shall provide good internal traffic circulation.
- (d) Outdoor sales, storage and display of goods, including vending machines, shall be specifically prohibited.
- (e) A maximum of twenty-five (25) percent of the required parking may be modified pursuant to §198-43.

* * *

§ 198-27.1. C-6 Huntington Station Overlay District.

Purpose. The purpose of adopting this overlay zone is to create a business district that will accommodate neighborhood shopping, encourage job creation, allow for a community where people can easily walk to acquire the day to day needs, and yield ratables commensurate with the uses permitted.

- A. Use regulations. Unless otherwise specifically prohibited, the as-of-right uses provided in the C-6 General Business District shall be permitted in the C-6 Huntington Station Overlay District, subject to any restrictions and limitations contained in this section. In the event the provisions of § 198-27 conflict with the provisions of this section, this section shall be controlling. In addition to such permitted uses, a building, structure or premises in the C-6 Huntington Station Overlay District may be used for the following purposes:

* * *

- (18) Convenience Markets in shopping centers, and in hamlet centers where no parking is provided on site.

* * *

C. Conditional uses. Unless otherwise specifically prohibited, the conditionally permitted uses provided in the C-6 General Business District shall be conditionally permitted in the C-6 Huntington Station Overlay District, subject to any restrictions or limitations contained in this section. In the event the provisions of § 198-27 conflict with the provisions of this section, this section shall be controlling. In addition to such conditional uses, the following conditionally permitted uses shall be permitted subject to the issuance of a special use permit. In no event shall a special use permit be issued or approved if any one of the conditions for the stated use is not met.

* * *

(7) Freestanding Convenience Markets provided that:

- (a) A Convenience Market use in a freestanding building shall have a minimum lot area of 25,000 square feet.
- (b) No portion of the commercial use, including the building, parking lot, utilities, and dumpsters shall be located within twenty-five (25) feet of adjacent residentially used or zoned parcels if the convenience market use is operating between the hours of 11:00 PM and 6:00 AM. A landscape buffer with a minimum width of ten (10) feet and a double row of evergreen trees shall be planted in accordance with Town standards to reduce noise and visual impacts to adjacent residences, unless existing vegetation is determined to be more suitable for that purpose.
- (c) One off-street truck loading space with a minimum width of twelve (12) feet and a minimum length of forty (40) feet shall be required. Aisles and turning areas shall provide good internal traffic circulation.
- (d) Outdoor sales, storage and display of goods, including vending machines, shall be specifically prohibited.
- (e) A maximum of twenty-five (25) percent of the required parking may be modified pursuant to §198-43.

* * *

§ 198-28. C-7 Minor Commercial Corridor District.

A. Permitted Uses. The following uses are permitted in the zoning district unless otherwise limited or prohibited in this Chapter:

* * *

- (12) Convenience Markets in shopping centers, and in hamlet centers where no parking is provided on site.

* * *

ARTICLE IV (OFF-STREET PARKING)

* * *

§198-47 Table of Minimum Spaces Required

2011- 309

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN AN HISTORIC DISTRICT

RE: 7 TITUS LANE – COLD SPRING HARBOR HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILMAN MAYOKA**

and seconded by: **COUNCILMAN CUTHBERTSON, COUNCILWOMAN JACKSON**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 16th day of May, 2011, pursuant to Section 198-41 of the code of the Town of Huntington, to consider the application of Judith Hogan, Owner, 7 Titus Lane, Cold Spring Harbor, NY 11724 for a Certificate of Approval to erect a two-story addition to an existing garage with first floor for garage storage and second floor for recreation room in one family dwelling, located at 7 Titus Lane, Cold Spring Harbor, NY 11724; bearing Suffolk County Tax Map #0400-016.00-06.00-025.001, and located in the Cold Spring Harbor Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Judith Hogan for a Certificate of Approval.

VOTE: AYES: 5 NOES:0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 8 - 2011, CONSIDERING ZONE CHANGE APPLICATION #2011-ZM-386 KNOWN AS AVALON AT HUNTINGTON STATION - R-3M TO CHANGE THE ZONE FROM R-7 RESIDENCE DISTRICT TO R-3M GARDEN APARTMENT SPECIAL DISTRICT FOR THE PROPERTY LOCATED ON THE NORTH SIDE OF EAST FIFTH STREET, WEST OF PARK AVENUE, HUNTINGTON STATION, SCTM# 0400-104.04-01-(001-109, 112-114 & 116-118), AND ISSUING A NEGATIVE DECLARATION FOR SAID ACTION TO REZONE.

Resolution for Town Board Meeting dated: June 6, 2011

The following resolution was offered by **SUPERVISOR PETRONE, COUNCILWOMAN JACKSON** and seconded by **COUNCILMAN CUTHBERTSON**

WHEREAS, AVALON BAY COMMUNITIES, INC., 135 Pinelawn Rd., Suite 130 South, Melville, NY 11747, contract vendee, submitted application #2011-ZM-386 for a change of zone from R-7 Residence District to R-3M Garden Apartment Special District for property located on the north side of East Fifth Street, west of Park Avenue (CR 35), Huntington Station, designated as 0400-104.04-02-(001-109, 112-114 & 116-118) on the Suffolk County Tax Map; and

WHEREAS, said application was forwarded to the Department of Planning and Environment by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code §198-127, and pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617; and

WHEREAS, the applicant has submitted a Voluntary Draft Environmental Impact Statement (VDEIS), to be treated as an Expanded Environmental Assessment Form (EEAF) in connection with the application, and the Department of Planning and Environment has reviewed the information provided with the EEAF, has duly classified the action Type I in accordance with the provisions of SEQRA, 6 NYCRR Part 617.4(b)(5)(iv) & (10) (for the construction of more than 250 units adjacent to public parkland) on behalf of the Town Board, and has coordinated the action which has established the Town Board, 100 Main St., Huntington, NY 11743, as Lead Agency and has prepared an EAF Parts II and III which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Town of Huntington Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and these documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@town.huntington.ny.us; and

WHEREAS, by resolution dated April 20, 2011 the Planning Board recommended to the Town Board that the Town Board schedule a public hearing on the application, issue a

Negative Declaration under SEQRA, and approve the application subject to the following conditions:

- (1) Improvements offered in the Draft Environmental Impact Statement/Expanded Environmental Assessment Form shall be provided by the developer, including fire sprinklers in the residential buildings, a pedestrian/bicycle pathway to the train station, a bus shelter in front of the property (if HART agrees to stop at the shelter), the installation of a traffic signal at the intersection of Park Avenue and East Fifth Street, and a retiming of the traffic signal at the intersection of Park Avenue and Pulaski Road, and the Town of Huntington may delay issuances of Certificates of Occupancy or require a bond to guarantee the installation of these improvements; and
- (2) The developer shall coordinate the traffic signal installation and timing with the Long Island Railroad, and shall also alter the timing of the Park Avenue / Broadway traffic signal if deemed necessary by the Town of Huntington or Suffolk County Department of Public Works to coordinate with the other signal work that they are planning; and
- (3) Prior to the issuance of the final Certificate of Occupancy, the developer shall post a bond to cover the potential costs of installing a traffic signal or other traffic control improvements such as signage at the intersection of East Fifth Street and Lenox Road, and one year following the issuance of the final Certificate of Occupancy the applicant shall retain an independent traffic consultant to study the intersection, the results of which will require the developer to make the recommended improvements or the Town to release the bond; and
- (4) During any future site plan application the developer must submit a Soil Management Plan for review, and shall be required to place money in escrow with the Town to enable the Town to hire an independent professional consulting firm to review the Soil Management Plan and suggest any changes that may be necessary; and
- (5) The developer shall be responsible for the construction of all improvements necessary for connection to the public sewer and water systems and any roadway improvements deemed necessary by the Town along the East Fifth Street frontage of the property; and
- (6) All garbage produced by the development, whether collected by the Town or a private carter, must be brought to the Town's Resource Recovery Facility for disposal;

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Expanded Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board finds that this Type I action will not have a significant effect upon the environment because the rezoning action and subsequent development of the property in accordance with the proposed site plan will incorporate measures, provided for in present town standards and regulations, and offered as improvements by the applicant in the EEAF, to effectively mitigate potential impacts; and further finds that the proposed action, is consistent with the Town of Huntington Comprehensive Plan and with long term planning policies and goals and is unlikely to pose significant adverse environmental impacts: the Town Board hereby:

- (1) Issues a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law based on the reasons outlined in the EAF, Parts II and III, which is hereby appended and made part of this resolution and Negative Declaration; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 16th day of May, 2011, at 7:00 PM to consider adopting Local Law Introductory No. 8 - 2011 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, which rezones from R-7 Residence District to R-3M Garden Apartment Special District property designated on the Suffolk County Tax Map as 0400-104.04-02-(001-109, 112-114 & 116-118), and due deliberation having been had;

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no subdivision or site plan shall be approved by the Planning Board or signed by the Director of Planning unless the plan is in full compliance with the requirements of this Resolution, the Covenants and Restrictions, and any applicable condition, restriction, or limitation established by the Planning Board during subdivision or site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 8 - 2011, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW NO. ____ - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON

CHAPTER 198 (ZONING)

ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

SECTION 7 (ZONING MAP)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), Section 7 (Zoning Map) is amended as follows:

CHAPTER 198 (ZONING)

ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *

§ 198-7 Zoning Map

The boundaries of the districts enumerated in §198-6 of this Chapter are hereby established as shown on the map designated as the "Amended Building Zone Map of the Town of Huntington." The said map, together with all notations, references and every other detail shown thereon shall be as much a part of this chapter as if the map and every other detail shown thereon was fully described therein. Section 198-55 contains symbols on the map for the aforesaid districts.

The premises located on the north side of East Fifth Street, west of Park Avenue, Huntington Station, designated on the Suffolk County Tax Map as 0400-104.04-02-(001-109, 112-114 & 116-118), to be rezoned from R-7 Residence District to R-3M Garden Apartment Special District, more particularly described as:

BEGINNING at a POINT on the north side of East Fifth Street as widened, 1130.97 feet west from the intersection with the west side of Park Avenue,

THENCE from said POINT OF BEGINNING west along the arc of a curve bearing right, having a radius of 642.00 feet and a length of 14.82 feet,

THENCE South 68 degrees 28 minutes 51 seconds East, 17.24 feet,

THENCE South 54 degrees 13 minutes 00 seconds West, 572.21 feet,

THENCE South 64 degrees 46 minutes 30 seconds West, 783.79 feet,

THENCE North 20 degrees 13 minutes 10 seconds West, 364.70 feet,

THENCE South 69 degrees 10 minutes 50 seconds West, 311.06 feet,

THENCE North 18 degrees 07 minutes 30 seconds West, 168.81 feet,

THENCE North 66 degrees 42 minutes 22 seconds East, 295.30 feet,

THENCE North 20 degrees 13 minutes 10 seconds West, 428.95 feet,

THENCE North 76 degrees 53 minutes 50 seconds East, 1423.31 feet,

THENCE South 13 degrees 06 minutes 10 seconds East, 562.35 feet to the POINT OF BEGINNING.

Such change of zone shall be specifically conditioned upon the filing by the applicant of the following Covenants and Restrictions, to run with the land, in a form acceptable to the Town Attorney. Such deed and Covenants and Restrictions shall be filed at the applicant's own cost and expense in the Office of the Suffolk County Clerk.

- (1) The developer shall provide the following on-site and off-site improvements as offered in the Draft Environmental Impact Statement/Expanded Environmental Assessment Form: fire sprinklers in the residential buildings, a pedestrian/bicycle pathway to the train station, a bus shelter in front of the property (if HART agrees to stop at the shelter), the installation of a traffic signal at the intersection of Park Avenue and East Fifth Street, and a retiming of the traffic signal at the intersection of Park Avenue and Pulaski Road, and the Town of Huntington may delay issuances of Certificates of Occupancy or require a bond to guarantee the installation of these improvements; and
- (2) The developer shall coordinate the traffic signal installation and timing with the Long Island Railroad, and shall also alter the timing of the Park Avenue / Broadway traffic signal if deemed necessary by the Town of Huntington or Suffolk County Department of Public Works to coordinate with the other signal work that they are planning; and
- (3) Prior to the issuance of the final Certificate of Occupancy, the developer shall post a bond, which shall be extended as needed, to cover the potential costs of installing a traffic signal and other traffic control improvements such as signage at the intersection of East Fifth Street and Lenox Road, and one year following the issuance of the final Certificate of Occupancy the applicant shall retain an independent traffic consultant that is approved by the Town to reassess the intersection, the results of which shall be reviewed by the Town, and any recommended improvements must be paid for and installed by the developer, otherwise the Town will levy on the bond to complete the improvements; and
- (4) During any future site plan application the developer must submit a Soil Management Plan for review, and shall be required to place money in escrow with the Town to enable

the Town to hire an independent professional consulting firm to review the Soil Management Plan and suggest any changes that may be necessary; and

- (5) The developer shall be responsible for the construction of all improvements necessary for connection to the public sewer and water systems and any roadway improvements deemed necessary by the Town along the East Fifth Street frontage of the property; and
-
- (6) All garbage produced by the development, whether collected by the Town or a private carter, must be brought to the Town's Resource Recovery Facility for disposal;
- (7) Affordable housing units shall be provided as required by the Town's Affordable Housing Law under §198-13(I), and all dwelling units designated as affordable units, whether sold, resold or leased, shall remain subject to the provisions of §198-13(I) or successor law, in all respects and in perpetuity. All affordable units shall be monitored for compliance by the Community Development Agency as specified in §198-13(I); and
- (8) Conditions of the change of zone set forth in §198-13(I)(3) shall be specifically set forth in the Covenants and Restrictions to be executed and filed by the applicant.
- (9) The developer shall consult the Suffolk County Planning Commission Guidelines with respect to Energy Efficiency and Public Safety.

* * *

Section 2. Severability

If any clause, sentence paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

* * * INDICATES NO CHANGE TO PRESENT TEXT.
ADDITIONS ARE INDICATED BY UNDERLINE.
DELETIONS ARE INDICATED BY [BRACKETS].

VOTE: AYES: 4 NOES:1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 311

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 130 OLD COUNTRY ROAD, MELVILLE – SWEET HOLLOW HISTORIC
DISTRICT

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN JACKSON**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 6th day of June, 2011, pursuant to Section 198, Article VI of the code of the Town of Huntington, to consider the application of Mario Diamandis, 130 Old Country Road, Melville, NY 11747 for a Certificate of Approval to construct a 16' x 36' below ground vinyl swimming pool located at 130 Old Country Road, Melville, NY 11747, bearing Suffolk County Tax Map #0400-256.00-02.00-10.000, and located in the Sweet Hollow Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Mario Diamandis for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION RESCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT RE: 498 SWEET HOLLOW ROAD, MELVILLE - SWEET HOLLOW HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Roger and Eileen Erdvig, 498 Sweet Hollow Road, Melville, NY 11747, for a Certificate of Approval to: demolish a two-story one-family dwelling & detached two-car garage; erect a two-story synagogue with partially finished basement, offices and classrooms for religious instruction, located at 498 Sweet Hollow Road, Melville, NY 11747, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Sweet Hollow Historic District and bears Suffolk County Tax Map #0400-256.00-1.00-12.000, and

WHEREAS, a public hearing is required for consideration of the issuance of a Certificate of Approval; and

WHEREAS, Town Board Resolution 2011-272 scheduled a public hearing for the 6th day of June 2011; and

WHEREAS, the attorney for the applicants Roger and Eileen Erdvig has requested an adjournment of the public hearing; and

WHEREAS, the proposed action is a Type I action pursuant to SEQRA, 6 N.Y.C.R.R. 617.4 (b)(9); and

NOW, THEREFORE, PURSUANT to Section 198-41 of the Code of the Town of Huntington,

THE TOWN BOARD

HEREBY RESCHEDULES a public hearing for the 12th day of July, 2011, at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Roger & Eileen Erdvig; and

HEREBY DIRECTS the Department of Planning of environment to coordinate a SEQRA review and to incorporate public input received into such review.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 4, §4-1, SCHEDULE K Re: Parking at Private Fields

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: COUNCILWOMAN BERLAND

And seconded by: COUNCILMAN CUTHBERTSON

WHEREAS, amendment to the Uniform Traffic Code of the Town of Huntington regarding regulated parking at private fields are classified as Type II actions pursuant to SEQRA, 6 N.Y.C.R.R. § 617.5 (c)(16), (20) and (27), and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the 12th day of July at 7:00 PM, at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, (Parking Fields); Section 4-1, (Private Parking Fields); Schedule K as follows:

<u>PARKING FIELDS</u>	<u>SCTM MAP NO.</u>	<u>REGULATIONS</u>
ADD: Huntington Station Food Plaza/ PJ Realty LLC 2035 New York Ave. Huntington Sta., NY 11746	0400-194.00-03.00-035.000	Handicapped/Fire Zone
Rex Corp. 200 Broad Hollow Rd. Melville, NY 11747	0400-255.00-01.00-007.000	Handicapped/Fire Zone
S. Huntington Pub. Library 2 Melville Rd. Huntington Sta., NY 11746	0400-200.00-03.00-054.000	Handicapped/Fire Zone

2011-313

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G
 RE: WEST MALL DRIVE – STOP SIGNS

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **COUNCILWOMAN BERLAND,**
COUNCILWOMAN JACKSON

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, an amendment to the Uniform Traffic Code of the Town of Huntington regarding stop signs is a TYPE II action pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)(16) (c)20 and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the 12th day of July , 2011, at 7:00p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 2, Traffic Regulations; Article IV, Stop and Yield Intersections, §2-7, Stop and Yield Intersections Designated; Schedule G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	West Mall Drive (HUN)	STOP	EAST	Round Swamp Road

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-315

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A

RE: TRAFFIC SIGNAL – TOWN LINE ROAD (CR4) AT SUNSHINE ACRES PARK ENTRANCE/EXIT AND HUBBELL STREET

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: COUNCILWOMAN JACKSON

and seconded by: COUNCILMAN CUTHBERTSON

WHEREAS, amendments to the Uniform Traffic Code of the Town of Huntington regarding traffic control signals and turns on red signals are classified as Type II actions pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)16(c)(20) and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the 12TH day of July, 2011, at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 2, Traffic Regulations; Article I, Traffic Control Signals; §2-1 Installation of Traffic Control Signals; Schedule A.

<u>LOCATION</u>	<u>DESCRIPTION OF SIGNAL</u>
ADD: Town Line Road at Sunshine Acres Park Entrance/Exit and Hubbell Street (CMK)	Semi-traffic-actuated

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION SCHEDULING A PUBLIC HEARING ON A PROPOSED APPLICATION FOR FEDERAL CAPITAL ASSISTANCE FOR THE HUNTINGTON AREA RAPID TRANSIT (HART) SYSTEM

Resolution for Town Board Meeting dated: **June 6, 2011**

The following resolution was offered by: **COUNCILMAN MAYOKA**

And seconded by: **SUPERVISOR PETRONE, COUNCILWOMAN JACKSON**

WHEREAS, the Town of Huntington proposes to submit an application to the Federal Transit Administration (FTA) for federal capital assistance for the Huntington Area Rapid Transit (HART) system; and

WHEREAS, an application is being made under the Urbanized Area Formula Grant Program (Section 5307) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

WHEREAS, based upon the FTA Section 5307 apportionment to the New York-Newark, NY-NJ-CT Urbanized Area for Federal Fiscal Year 2008 and sixty-percent of the apportionment for Federal Fiscal Year 2009, the Town will receive \$1,171,668 in capital funds; and

WHEREAS, the Town of Huntington intends to program these funds for projects generally described in the Section 5307 Proposed Program of Projects as annexed hereto; and

WHEREAS, the Section 5307 Proposed Program of Projects will become the final Section 5307 Program of Projects unless otherwise established; and

WHEREAS, no persons, families, or businesses will be displaced by these projects; and

WHEREAS, these projects are not expected to have any significant environmental impact; and

WHEREAS, these projects are in conformance with comprehensive land use and transportation planning in the area and are consistent with the adopted programming of projects in the Nassau/Suffolk Transportation Improvement Program; and

WHEREAS, these projects will continue to assist the Town of Huntington in providing efficient and accessible transportation to the elderly and handicapped who may otherwise be denied the opportunity for mobility; and

WHEREAS, federal regulations require that the general public be afforded the opportunity to present their views on the Section 5307 Proposed Program of Projects; and

WHEREAS, the Town of Huntington is utilizing its public participation procedures in lieu of federal public participation procedures; and

WHEREAS, the projects to be undertaken are Type II actions pursuant to 6 NYCRR 617.5(c)(2) and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the 12th day of July, 2011 at 7 pm at Huntington Town Hall, 100 Main Street, Huntington, New York 11743 for the purpose of giving all parties with significant social, economic, or environmental interests in the aforementioned projects an opportunity to comment orally, or in writing, in regard to the aforementioned projects; and

HEREBY ESTABLISHES A WRITTEN COMMENT PERIOD for the purpose of giving all parties with significant social, economic, or environmental interests in the aforementioned projects an opportunity to comment in regard to the aforementioned projects, which will commence with the publishing of a public notice and conclude thirty days thereafter; and

HEREBY DIRECTS the Town Clerk to publish a notification (Schedule A) in The Long Islander, The Observer, and Suffolk editions of Newsday and El Diario .

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilman Mark Cuthbertson	AYE
Councilwoman Susan A. Berland	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

NOTICE OF HEARING

NOTICE is hereby given that the Town of Huntington intends to file an application with the Federal Transit Administration (FTA) of the U.S. Department of Transportation for capital financial assistance for mass transportation projects. This financial assistance is being sought under Section 5307 of the Federal Transit Act (the Act).

- A. Proposed Program of Projects: Based upon the actual FTA Section 5307 apportionment to the New York-Newark NY-NJ-CT (UZA 1) Urbanized Area for Federal Fiscal Years 2008 and 2009 (FFYs) and upon agreement among the Section 5307 Designated Recipients of the New York portion of the Urbanized Areas, the Town of Huntington has been allocated \$1,478,278 in Section 5307 funds for FFYs. Total federal funds requested under Section 5307 for this application are \$1,171,668. Total required non-federal matching funds (state and town) are \$292,917.

Capital Projects – (100% Federal funds / 20% Local funds)

PROJECT DESCRIPTION	FEDERAL AMOUNT	TOTAL AMOUNT
PURCHASE REPLACEMENT TRANSIT BUSES (30FT) WITH SPARE PARTS AND ASSOCIATED EQUIPMENT	\$864,000	\$1,080,000
PURCHASE REPLACEMENT PARATRANSIT BUSES (<30FT) WITH SPARE PARTS AND ASSOCIATED EQUIPMENT	\$156,000	\$195,000
PURCHASE REPLACEMENT SUPPORT VEHICLES WITH SPARE PARTS AND ASSOCIATED EQUIPMENT	\$52,000	\$65,000
REHABILITATE BUS ADMINISTRATION/ MAINTENANCE FACILITY	\$61,760	\$77,200
REHABILITATE BUS STORAGE FACILITY	\$6,240	\$7,800
CONTINGENCIES/RESERVE	\$31,668	\$39,585
TOTAL PROJECT COSTS	\$1,171,668	\$1,464,585
FEDERAL SHARE		\$1,171,668
LOCAL (NON-FEDERAL SHARE)		\$292,917

- B. Federal Allocation Information
 Urbanized Area: New York-Newark NY-NJ-CT
 Designated Recipient: Town of Huntington

- C. Relocation: No persons, families or businesses will be displaced by these projects.
- D. Environment: None of the aforementioned projects are expected to have any adverse environmental impacts.
- E. Comprehensive Planning: These projects are in conformance with comprehensive land use and transportation planning for the Town of Huntington, Suffolk County, and the New York metropolitan area and have been or will be endorsed by the New York Metropolitan Transportation Council, the metropolitan planning organization for the New York metropolitan region, as the product of continuing, cooperative, and comprehensive planning for all modes of transportation.
- F. Elderly and Disabled: These projects will continue to assist the Town of Huntington in providing efficient and accessible transportation to the elderly and handicapped who may otherwise be denied the opportunity for mobility.

A copy of the detailed project descriptions is available for public inspection between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, at the Huntington Town Clerk's office in the Huntington Town Hall, 100 Main Street, Huntington, NY 11743 and also at the HART offices at 144 East Second Street, Huntington Station, NY 11746.

The Town of Huntington will afford an opportunity for interested persons or agencies to be heard with respect to the social, economic, and environmental aspects of this application at a public hearing to be held by the Huntington Town Board at its regularly scheduled meeting on July 12, 2011 at 7:00 p.m. Additionally, interested persons may submit written comments regarding the Proposed Program of Projects to HART at 144 East 2nd Street, Huntington Station, NY 11746 until 30 days from the publication date of this notice.

If no comments are received, or if comments are received but are not significant enough to cause a modification of the Proposed Program of Projects, the Proposed Program of Projects as herein published shall become the final Program Projects.

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE SUFFOLK COUNTY SPCA FOR A LOW COST RABIES CLINIC AT THE HUNTINGTON ANIMAL SHELTER/ADOPTION CENTER

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington, in conjunction with the League for Animal Protection, wishes to sponsor a weekend adoption event at the Town Animal Shelter/Adoption Center on July 9 & 10, 2011; and

WHEREAS, the Suffolk County SPCA will be on hand to provide low cost rabies vaccinations at this event,

WHEREAS, the execution of an agreement is not an action define as defined by 6 N.Y.C.R.R. section 671.2 (c) (20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES The Supervisor to execute an agreement with the Suffolk County SPCA to provide a low cost rabies clinic for the Town of Huntington on the July 9 & 10, 2011 weekend adoption event, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AMENDING RESOLUTION 2011-257 APPOINTING AND REAPPOINTING VARIOUS BOARD MEMBERS, RE: HUNTINGTON HOUSING AUTHORITY

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the appointment or reappointment of individuals to Town of Huntington boards is not an action as defined by NYCRR §617.2(b) and therefore no further SEQRA review is required.

WHEREAS, pursuant to the New York State Public Housing Law the Town Board is the appointing authority for the Board of Commissioners of the Huntington Housing Authority; and

WHEREAS, Resolution 2011-257 omitted a term effective date for one of the new Huntington Housing Authority appointees:

NOW, THEREFORE

THE TOWN BOARD

HEREBY APPOINTS the following individual to Huntington Housing Authority Board of Commissioners, for a term to become effective June 23, 2011 and to expire as indicated:

John Perri
240 Norwood Avenue
Northport, NY 11768

Expiration 6/22/12

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-319

RESOLUTION ADOPTING A HOME RULE MESSAGE URGING THE NEW YORK STATE LEGISLATURE TO APPROVE AND THE GOVERNOR TO SIGN LEGISLATION (S.4209/A.6600) DESIGNATING UNIFORMED OFFICERS OF THE FIRE MARSHAL'S OFFICE OF THE TOWN OF HUNTINGTON AS PEACE OFFICERS

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: **Supervisor Petrone**

and seconded by **Councilman Mayoka, Councilwoman Jackson**

WHEREAS, in response to a request by the Town of Huntington Senator John Flanagan and Senator Carl Marcellino have introduced legislation (S.4209) co-authored in the Assembly by Assemblyman James Conte and Assemblyman Andrew Raia (A.6600) to extend peace officer status to uniformed officers in the Huntington Fire Marshal's office; and

WHEREAS, in enacting this legislation that mirrors existing statute that extends the powers and responsibilities of peace officers to uniformed Fire Marshals in the sister towns of Southampton and Riverhead and this action will expand the number of unarmed, uniformed-service officers available to respond to and organize the scene in emergency, accident and disaster situations; and

WHEREAS, two previous governors have asked the State Legislature to wait to reintroduce legislation designating new peace officers until parallel legislation setting forth mandatory training requirements for candidates for peace officer could be enacted and such requirements were approved by the Governor and Legislature a year ago; and

WHEREAS, the adoption of this home rule message is not an action pursuant to 6 NYCRR §617.2(b) and therefore no SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ADOPTS a Home Rule Message urging the New York State Legislature to approve and the Governor to sign legislation (S.4209/A.6600) designating uniformed officers of the fire marshal's office of the Town of Huntington as peace officers; and

HEREBY DIRECTS the Town Clerk to forward certified copies of this resolution to Governor Andrew Cuomo, Dean G. Skelos, Senate Majority Leader, Assemblyman Sheldon Silver, Speaker of the Assembly; the Home Rule Counsels to the Senate and Assembly and to the members of Huntington's State Legislative delegation, Senator Carl

2011-319

Marcellino, Senator John Flanagan, Assemblyman James Conte and Assemblyman Andrew Raia.

VOTE: AYES: **5** NOES: **0** ABSTENTIONS: **0**

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 5-2010, CONSIDERING ZONE CHANGE APPLICATION #2008-ZM-372, HILLTOP HOMES, TO CHANGE THE ZONING FROM C-6 GENERAL BUSINESS AND R-80 RESIDENCE DISTRICT TO R-3M GARDEN APARTMENT SPECIAL DISTRICT FOR THE PROPERTY LOCATED ON THE SOUTHEAST CORNER OF EAST MAIN STREET AND CENTERSHORE ROAD, CENTERPORT, SCTM# 0400-079-03-001.

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by **COUNCILMAN CUTHBERTSON**

and seconded by **SUPERVISOR PETRONE**

WHEREAS, Angelo Santomauro, 52 Broadway, Suite 4, Greenlawn, New York 11740, as agent for the owners, submitted application #2008-ZM-372, known as HILLTOP HOMES, for a change of zone from C-6 General Business and R-80 Residence District to R-3M Garden Apartment Special District on the property located on the southeast corner of the intersection of East Main Street (NYS Route 25A) and Centershore Road, Centerport, designated as 0400-079-03-001 on the Suffolk County Tax Map; and

WHEREAS, said application was forwarded to the Planning Board by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code §198-127, and pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617; and

WHEREAS, the applicant has submitted an Expanded Environmental Assessment Form (EEAF) in connection with the application, and the Department of Planning and Environment has reviewed the information provided with the EEAF, has duly classified the action Unlisted in accordance with the provisions of 6 NYCRR 617, SEQRA, and has coordinated the action which has established the Town Board, 100 Main St., Huntington, NY 11743, as Lead Agency and has prepared an EAF Parts II and III dated December 1, 2009, which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and these documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@town.huntington.ny.us; and

WHEREAS, by resolution dated December 16, 2009 the Planning Board recommended to the Town Board that the Town Board schedule a public hearing on the application, issue a Negative Declaration under SEQRA, and find that the physical characteristics of this property and its location make it more suitable for residential development than commercial development, and because of the environmental constraints a limit should be placed on the amount and/or size of the units that can be built on the property;

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Expanded Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board finds that this Unlisted action will not have a significant effect upon the environment because the rezoning action will incorporate measures, provided for in present town standards and regulations, to effectively mitigate potential impacts; and further finds that the proposed action to rezone the subject property is consistent with the Town of Huntington Comprehensive Plan and with long term planning policies and goals and is unlikely to pose significant adverse environmental impacts; and additionally finds that any subdivision or site plan resulting therefrom may require its own determination of significance, following SEQRA assessment of the specific project's environmental consequences based upon new information or revisions to the concept plans, the Town Board hereby:

- (1) Issues a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law based on the reasons outlined in the EAF, Parts II and III, which is hereby appended and made part of this resolution and Negative Declaration; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 13th day of April, 2010, to consider adopting Local Law Introductory Number 5-2010 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), §198-7 of the Huntington Town Code, thereby rezoning from C-6 General Business and R-80 Residence District to R-3M Garden Apartment Special District the property located on the southeast corner of the intersection of East Main Street (NYS Route 25A) and Centershore Road, Centerport, designated as 0400-079-03-001 on the Suffolk County Tax Map, and due deliberation having been had

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no subdivision or site plan shall be approved by the Planning Board or signed by the Director of Planning unless the plan is in full compliance with the requirements of this Resolution, the Covenants and Restrictions, and any applicable condition, restriction, or limitation established by the Planning Board during subdivision or site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 5-2010, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW NO. _____ - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), Section 7 (Zoning Map) is amended as follows:

CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *

§ 198-7 Zoning Map

The boundaries of the districts enumerated in §198-6 of this Chapter are hereby established as shown on the map designated as the "Amended Building Zone Map of the Town of Huntington." The said map, together with all notations, references and every other detail shown thereon shall be as much a part of this chapter as if the map and every other detail shown thereon was fully described therein. Section 198-55 contains symbols on the map for the aforesaid districts.

The premises located on the southeast corner of the intersection of East Main Street (NYS 25A) and Centershore Road, Centerport, designated on the Suffolk County Tax Map as 0400-079-03-001, to be rezoned from C-6 General Business District and R-80 Residence District to R-3M Garden Apartment Special District, more particularly described as:

BEGINNING at a POINT on the easterly side of Centershore Road at the intersection with East Main Street (NYS Route 25A),

THENCE from said POINT OF BEGINNING North 70 degrees 5 minutes 0 seconds East, 91.18 feet,

THENCE South 64 degrees 28 minutes 0 seconds East, 116.00 feet,

THENCE North 82 degrees 7 minutes 50 seconds East, 60.43 feet,

THENCE South 29 degrees 53 minutes 0 seconds East, 169.85 feet,

THENCE South 86 degrees 44 minutes 10 seconds West, 110.89 feet,

THENCE South 30 degrees 49 minutes 20 seconds West, 228.72 feet,

THENCE North 29 degrees 47 minutes 0 seconds West, 58.49 feet,

THENCE North 17 degrees 32 minutes 20 seconds West, 180.30 feet,

THENCE North 9 degrees 42 minutes 20 seconds West, 139.98 feet to the POINT OF BEGINNING.

Such change of zone shall be specifically conditioned upon the filing by the applicant of the following Covenants and Restrictions, to run with the land, in a form acceptable to the Town Attorney. Such deed and Covenants and Restrictions shall be filed at the applicant's own cost and expense in the Office of the Suffolk County Clerk.

- (1) A maximum of nine (9) residential units may be built on the property, although the yield may be reduced or the site design revised during subdivision or site plan review by the Planning Board based upon good planning, environmental, and engineering principles; and
- (2) The existing driveway encroachment onto the NYS Route 25A right-of-way shall be removed and the land shall be revegetated; and
- (3) Any retaining walls supporting the subject property in the adjacent road right-of-ways shall be repaired or replaced by the developer as directed by the Town Director of Engineering Services, and the slopes in the adjacent road right-of-ways shall be landscaped to prevent or reduce erosion.

*

*

*

Section 2. Severability

If any clause, sentence paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date

This Local Law shall take effect immediately upon filing in the Offices of the Secretary of State of New York.

*** INDICATES NO CHANGE TO PRESENT TEXT.
ADDITIONS ARE INDICATED BY UNDERLINE.

DELETIONS ARE INDICATED BY [BRACKETS].

VOTE: AYES: 3 NOES: 1 ABSTENTIONS: 1

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	NO
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	ABSTAIN

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**ENVIRONMENTAL ASSESSMENT FORM
PARTS II & III**

HILLTOP HOMES (#2008-ZM-372)

PROJECT DESCRIPTION: The application proposes a rezoning to R-3M Garden Apartment Special District and the construction of nine townhouse-style units in two buildings that will overlook Centerport Mill Pond. The units will be two stories in height and approximately 2,400 sq. ft. in size with three bedrooms, except for an affordable unit that will be approximately 1,800 sq. ft. in size with two bedrooms. The units will have basements and a one-car attached garage. Parking is also provided in private driveways and a shared parking lot. The houses will be sold as condominium units.

The majority of the property is zoned C-6, with a small area of R-80. It lies directly east of the new Centerport Post Office. The restaurant that previously existed at the site was located at the bottom of the slopes along Centershore Road. The building was demolished, and the area is now partially covered by vegetation. The slopes along Centershore Road were previously manipulated with retaining walls for the construction of the restaurant. Additional work will be required there, which means that the vegetation which has grown in will be cleared and the remains of the restaurant will be removed. The current design of the site plan aims to preserve the rest of the steep slopes along the edges of the property. This would be accomplished by constructing large retaining walls between the property line buffers and the interior portion of the site. The interior will be regraded to produce a gradual slope up from Centershore Road. The residential development will use the existing curb cut for access. A slope analysis was provided that shows that the proposed yield is in conformance with the Town's steep slope regulations. An earthwork analysis shows that most of the soil that will be regraded will be kept on site. Sewage service will be provided through the Centerport Sewer District.

This is the same type of development that was proposed in an earlier zone change application on the property (Jack Santomauro, #2000-ZM-327), except that the previous application requested a different zoning district (C-3 Special Business District) and had a slightly different site design. That project proposed four townhouse units and five apartment-style condominium units, resulting in smaller building footprints. Two affordable units would have been provided. Revisions to Article X of the Zoning Code (The Steep Slope Conservation Law) made over the last several years that placed steep slope development regulations on commercial zones made the rezoning to C-3 for residential development undesirable, and also prevented a site plan application to build an office building (known as Centerport Office Building site plan) in the C-6 zoned portion of the property from being approved.

COMPREHENSIVE PLAN: The Horizons 2020 Comprehensive Plan Update Future Land Use Map designates the property as Commercial to match its existing zoning. Outside of the hamlet centers most of the NYS Route 25A corridor is identified as a Minor Commercial Corridor. The Plan recognizes that C-6 General Business zoning is inappropriate for smaller commercial areas because of its lack of zoning restrictions. Further east, the section of Route 25A adjacent to the Village of Northport was recently rezoned to the new C-7 Minor Commercial Corridor zone in accordance with the Comprehensive Plan recommendations. In addition to varying the commercial

zoning, the Plan also suggests that small-scale residential projects can be placed into commercial corridors where environmental, traffic, or aesthetic impacts favor a residential use over a commercial one. This is also seen as an opportunity to diversify the Town's housing stock, which is weighted too heavily towards single-family detached homes for our area's demographics. The Plan also identifies NYS Route 25A as a historic road corridor, which places greater importance on the aesthetic impacts of development.

The 1993 Comprehensive Plan specifically singled out NYS Route 25A in Centerport as an inappropriate location for more retail/commercial development because of the poor sight distances along the road. The narrow roadway combined with hills and curves make it inadvisable for businesses with high traffic generation because of safety concerns. The subject property is located on a bend in the road that restricts sight distance, although road access is only provided from Centershore Road. The plan recommended that vacant parcels along Route 25A be rezoned to residential zoning classifications to decrease traffic generation.

The Centerport GEIS addressed many of the same issues as the two most recent comprehensive plans. It placed particular emphasis on the protection of steep slopes from development, and many of its recommendations were incorporated into the Town's recent revisions to the Steep Slopes Conservation Law (Article X of the Zoning Code). The GEIS recommended that development on slopes greater than 30% should be completely prohibited, and that soil type should be more of a factor in the review of development plans.

SURROUNDING LAND USE AND ZONING: The property is part of a small strip of C-6 zoning that runs along Route 25A and the southern edge of Centerport Mill Pond. To the northeast of the site are restaurants and a catering hall. To the northwest is the Chalet Motor Inn. To the west is the new Centerport Post Office. There are a few small retail establishments to the east. The residential development around the commercial area is predominantly high density to the north of Route 25A and low density to the south. To the northwest, northeast, and southwest are R-7 and R-10 zoning. Many of these areas have high-density zoning because they were initially developed on small lots before the first zoning law in 1934. The eastern portion of the property and the land to the southeast is zoned R-80, the lowest density of zoning in the Town. This is a result of high and steep slopes.

PLANNING AND ZONING ISSUES: As the Town is nearing full build-out, an increasingly larger percentage of development applications are on properties that were passed over in earlier years because of site difficulties such as steep slopes. Route 25A has the potential for much growth with similar rezonings, not only because of steep slopes but also because of the many transition areas between commercial and residential zoning that are the most likely sites to be considered for zone changes. This property can be considered a unique case from many other properties because of its existing C-6 zoning and previous legal commercial use and site disturbance. The existing C-6 zoning allows a wider variety of uses than any other zone in the town, and it also has the least restrictions in terms of setbacks. Establishing residential uses on the property would probably result in fewer environmental impacts than most commercial uses, although it is difficult to know what types of commercial development would be approved for the

site given its environmental constraints. This site is also unique in that it is located in a public sewer district.

SEQRA CLASSIFICATION: **Unlisted.** The proposed area rezoning does not meet or exceed any of the criteria on the Type I list [§6 NYCRR 617.12]. Should the Town Board determine the action will not be further entertained, then it may be reclassified as a Type II action per §6 NYCRR 617.5(c)(37) and no further SEQRA review shall be required.

SEQRA RECOMMENDATION: If the Town Board wishes to proceed with consideration of the rezoning as proposed, it is recommended that such action be given a Negative Declaration. While the property may not be the best site for high-density residential development, it is threatened by its existing commercial zoning, and efforts have been made by the applicant to concentrate development on already-disturbed land. The proposed yield complies with zoning and there will be a limited amount of soil removed from the property. If the Town Board is comfortable with the residential use but has problems with the density, a Conditioned Negative Declaration could be issued with a limit on the number of units permitted on the site, or they could simply place a yield cap as a condition of zone change approval. Fewer residential units would result in less clearing and grading, and would produce smaller buildings that would maintain more of a residential appearance. Should the Town Board decline to hold a public hearing, thus not further entertaining the application, the action may be reclassified as Type II with no further SEQRA review required.

Even though the rezoning alone will not result in immediate impact to the land resource, the potential site impacts from the future development of the property have been considered. Should the Town Board approve the rezoning any future subdivision or site plan for the property will have to be consistent with this SEQRA document; therefore, this report has been prepared to serve both the Town Board and future Planning Board reviews. The review has been coordinated with the Planning Board, an identified involved agency. This review is based on an Expanded Environmental Assessment Form prepared by the applicant's environmental consultant, a conceptual site plan, and site visitation.

NATURAL RESOURCE DESCRIPTION: The natural areas of the site are divided into two types. The steep slope areas contain mature woodland vegetation common to sloped areas (i.e. various oaks, red maple, cherry, beech, red cedar, white pine, mountain laurel). The area immediately around the former restaurant building contains mostly successional vegetation such as weeds, ferns, and small trees. Most of the flat area of the site has been paved over for use as a parking lot. The land slopes down to the north and west. Animals in the area are those typical to suburban development in the northeast U.S.

IMPACT ON LAND:

1. Will the proposed action result in a physical change to the project site?

*Yes. The proposed action would require the clearing and grading of land for site construction. This activity would also be required for construction in accordance with the existing zoning, as

the old parking lot does not meet current Town standards, and its access driveway would have to be removed because it crosses over onto state land. In order to get a conforming road or driveway onto the site, significant work needs to be done to the existing curb cut. This entire area of the site was already manipulated for the construction of the restaurant and parking lot. Other major areas of physical change would be the northwest corner of the site for construction of a building and the area of central slopes that would be completely removed. In discussions with staff, it was recommended to the applicant that new development should be placed in already disturbed areas as much as possible. The applicant's engineer prepared an earthwork analysis that shows the levels of cut and fill that will be required throughout the site. The grading appears to have been designed in part to reduce the need to import or export soil from the site. Although 5,400 cubic yards of soil will be regraded, all but 100 cubic yards will be left on the property. The upper portion of the land will be lowered by an average of approximately four (4) feet, while the lower parking area will be raised by an average of approximately eight (8) feet. The fill is larger than the cut because the fill includes the soil dug out for the building cellars.

The soils on the site are classified as CpE, which stands for Carver-Plymouth series, 15% to 35% slopes. These slopes are considered to present moderate to severe erosion hazards. It is recommended that they be vegetated to reduce erosion potential, which can be difficult because they have poor fertility due to their gravelly nature. This does help the soil absorb water, which is important because the site was constructed without a drainage system. The new development would contain a modern drainage system and would grade runoff away from the slopes. Excess clearing to improve waterviews is a concern with this application. Trees on this property and on the other side of Route 25A have been topped to improve the waterviews of an existing house to the south of the subject property. If these trees die as a result of the cutting then it is a negative effect on their ability to help prevent soil erosion.

It is likely that a commercial building developed under the existing C-6 zoning would have a similar impact on the land, as there is typically one large building with one large parking lot next to it which limits mitigation opportunities. The Centerport Office Building site plan was in fact very similar to the current residential plan in its grading plan, although the retaining walls on the residential plan are slightly smaller.

2. Will there be an effect to any unique or unusual land form(s) found on the subject site (i.e., cliffs, dunes, etc.)?

*No.

IMPACT ON WATER:

3. Will the proposed action affect any body of water designated as protected under Articles 15, 24, or 25 of the NYS Environmental Conservation Law or Town of Huntington Marine Conservation Law?

*Yes. The existing site has no formal drainage system, and the land slopes down to the north towards Route 25A and west to Centershore Road. Because of their slopes these roads drain into the Centerport Mill Pond to the north. Silt from this property winds up on these roads and clogs catch basins and clouds the water of the Mill Pond. The redevelopment of this site will result in

most of the runoff being handled on the subject property. This will result in an improvement in the water quality of the Centerport Mill Pond and Harbor. Although this improvement will probably be too small to be visibly noticeable, it is a good step towards the Town's goal of improving water quality in its bays. The Town has spent significant amounts of money on rehabilitating the Mill Pond and in other watersheds to prevent eroded materials from draining into the Long Island Sound. This project would contribute towards these efforts. Special efforts will have to be taken during construction to minimize the increased erosion that is often found with sites under construction. All units will have their sanitary waste handled by the Centerport Sewer District, which pumps wastewater to the Northport Sewage Treatment Plant.

4. Will proposed action affect any non-protected existing or new body of water?

*No.

5. Will the proposed action affect surface or groundwater quality or quantity?

Surface Water

*Yes. See #3 above.

Groundwater

*Yes. The redevelopment of this site will result in the installation of a drainage system of catch basins, drywells, and leaching pools in accordance with current Town standards. Currently the only site drainage is natural recharge through the soil, and runoff down the existing driveway onto Centershore Road. The drainage system uses less area to recharge runoff, which will increase the concentration of any contaminants in the water, but contaminants should be minimal with the residential uses proposed at the site.

6. Will proposed action alter drainage flow or patterns of surface water run-off?

*Yes. As stated above in #3 the redevelopment of this property would result in drainage being handled on site instead of depending on natural recharge and allowing runoff onto Centershore Road. The steep slopes of the property and the poor CpE soil quality result in a lot of erosion on site and runoff laden with silt. The regrading, replanting, and curbs on the site should help to minimize erosion, and although runoff will be increased by the increase in impervious surface it will be better handled by the required drainage system.

There is significant potential for soil erosion occurring during construction and after the project is completed. The areas requiring mitigation would be those areas where both steep slopes exist and where natural vegetation would be removed, exposing soils to rain and wind. Typically, most erosion impacts are of a relatively short duration, primarily during construction of the proposed project; however, both temporary and permanent mitigation measures will be required to offset the impacts of new development, particularly in and near areas with slopes of 15 percent or greater. Temporary measures will need to be in place during construction to mitigate impacts, while permanent measures would mitigate the long term impacts of the proposed project. A suitable erosion and sediment control plan will need to be developed to coincide with specific impacts posed by the grading plan. It is possible that the applicant will have to prepare a

Stormwater Pollution Prevention Plan (SWPPP) to address erosion and drainage concerns, and that the proposed land development will require a State Pollution Discharge Elimination System (SPDES) permit. This level of technical detail is normally developed during the subdivision or site plan review process. All mitigation measures considered should be in accordance with the standards and specifications set forth in the *New York Guidelines for Urban Erosion and Sediment Control and Town Subdivision and Site Improvement Specifications* to insure proper stabilization during and following construction. A detailed Planting Plan will be required during any future subdivision or site plan review in order to insure that all cleared areas are replanted to prevent erosion.

IMPACT ON AIR:

7. Will proposed action affect air quality?

*Yes. When the site is developed, construction vehicles will produce temporary, localized reductions in air quality due to more permissive emission standards and the large sizes of commercial vehicles. Most of these will be during business hours when residential neighbors are less likely to be home. This is not considered a significant impact. It is an unavoidable impact generated by all construction projects. The proposed regrading plan for this project will result in a reduction in air impact potential since importing or exporting more soil from the site would increase truck activity.

IMPACTS ON PLANTS AND ANIMALS:

8. Will the proposed action affect any threatened and/or endangered species? (as per Federal or State Law)

*No.

9. Will proposed action substantially affect non-protected, non-threatened or non-endangered species?

*No. There will be some clearing of trees and vegetation on the property, but less than a half acre of forested land would be lost. There are no animals or plants that are unique to the area, and the property will remain partially wooded, similar to other properties in the neighborhood.

IMPACT ON AGRICULTURAL LAND RESOURCES:

10. Will the proposed action affect agricultural land resources?

*No. Due to the steep slopes of the property, it is likely that it has never been used for agriculture. The CpE soils are listed as poor for both field crops and pastureland. Similar slopes and soils in the nearby area limited agricultural development in Centerport in historical times.

IMPACT ON AESTHETIC RESOURCES:

11. Will proposed action affect aesthetic resources?

*Yes. The property has a visible location at a busy intersection. It currently appears as a forested hillside, although the restaurant would be highly visible along Centershore Road if the building still stood. While the current proposal will maintain many of the trees on the slopes along Route 25A, the buildings will be partially visible through and possibly above the trees. Residential structures are probably considered to be preferable to commercial buildings by the general population, but only if their massing does not dominate the hill. This is especially a concern with the western building, which has an exposed cellar facing north, giving the appearance of a three-story structure. Large buildings could seem overly prominent and conspicuous, although adjacent houses are also large in size. Neighboring commercial buildings such as the hotel, restaurants, and catering hall have significant bulk, but their aesthetic impact is decreased by their lower elevations. The nearby residential development of Centerport-Lakeside Estates to the west did a good job of minimizing aesthetic impacts by clustering the units in the center of the site and retaining the existing trees over the majority of the property. In discussions with staff, it was recommended to the applicant that new development should be placed in already disturbed areas as much as possible. In the previous zone change application, the proposed site plan was able to save much of the existing forested area in the center of the site, which would have broken up the mass of the two buildings. This wooded section is removed on the currently proposed site plan. It is important to retain existing woodland and plant new landscaping to soften the appearance of the large retaining walls proposed for the property. It is also important to require that trees cannot be topped or removed for the purpose of providing water views.

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES:

12. Will the proposed action impact any site or structure of historic, prehistoric or paleontological importance?

*No. There is no record of historical buildings on the property, and no structures exist now. The previous restaurant building was not historic. It is also unlikely that any important archaeological resources would be found due to the steep slopes and existing land disturbance. There are a few historical buildings to the east near the base of the Centerport peninsula. An archaeological study in 1996 for Centershore Plat, a few hundred feet to the south, found no evidence of historic or prehistoric activity.

IMPACT ON OPEN SPACE AND RECREATION:

13. Will the proposed action affect the quantity or quality of existing or future open spaces or recreational opportunities?

*Yes. All of the parcels within the triangular piece of land bounded by Route 25A, Centershore Road, and Centerport Road are listed on the Open Space Index as #NW20. The entire area is characterized as steeply-sloped woodland. It would not be useful as active parkland, but as a passive park or nature preserve to protect the mature trees and prevent soil erosion onto the surrounding busy roads. The northern parcels, including the subject property, could also be used as scenic lookouts over Centerport Harbor. This would be the last privately-owned parcel of land available for preservation or parkland acquisition. The others have been developed with single-family homes. Fortunately, they have preserved much of their woodland character. The

development as proposed for this site would not be conducive to providing a park or meaningful open space area. There would be one undeveloped parcel left in the Open Space Index site. That would be a 4.6 acre vacant site to the east that is owned by the New York State Department of Transportation (NYSDOT). It is inaccessible from Route 25A because of the steep slopes. The NYSDOT probably intends to keep the parcel preserved as a natural area in order to prevent soil erosion and the development of curb cuts that would have a dangerous sight distance problem.

IMPACT ON CRITICAL ENVIRONMENTAL AREAS:

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)?

*No.

IMPACT ON TRANSPORTATION:

15. Will there be an effect to existing transportation systems?

*No. The construction of nine residential units should not add a noticeable amount of traffic to the surrounding area. Other nearby uses, such as the post office and restaurants, generate much larger amounts of traffic. If the property was developed commercially under the existing zoning, traffic generation would be higher. During construction, the small amount of soil being removed from the site will reduce potential traffic impacts. Centershore Road carries traffic to Route 25A and Centerport Road, which are both classified as arterials that carry large amounts of traffic. Centershore Road is a better road access point than Route 25A. There is less traffic on Centershore Road, and it travels at lower speeds. The slopes down to the road are also less steep and already manipulated. Sight distance would be a severe concern for a Route 25A access point. The existing site distance to the south along Centershore Road is limited, which favors a lower traffic-generating use for the site.

The site is served by the Town's HART bus service (H6 route). It travels west along Route 25A to downtown Huntington and Cold Spring Harbor, and heads south and east through Greenlawn and East Northport to Commack. It connects to other bus routes at Route 110, the Greenlawn and East Northport train stations, and the Huntington Square Mall.

IMPACT ON ENERGY:

16. Will the proposed action have an adverse effect on the community's sources of fuel or energy supply?

*No. Any expected site development should not have a measurable effect on the energy supply.

NOISE AND ODOR IMPACTS:

17. Will there be objectionable odors, noise or vibration as a result of proposed action?

*Yes. Construction activity on the site will utilize large trucks that will likely make noise and release fumes. This is a localized and short-term impact that is expected to last only during the

construction phase of the project. No permanent impacts are expected. It is an unavoidable impact generated by all construction projects. The small amount of soil being removed from the property will eliminate a potential source of constant noise and odors in the neighborhood.

IMPACT ON PUBLIC HEALTH:

18. Will proposed action adversely affect public health and safety?

*Unknown. The clearing and grading of the slopes could pose a threat to safety. The site's soils are classified as easily susceptible to erosion. Construction activity too close to the top of the slopes, excessive clearing, or the failure of retaining walls could trigger a landslide. A landslide on the north or west sides of the property would bring trees and gravel onto the adjacent roadways, which could cause automobile accidents. There is also the danger that any homes close to the top of the hill could be affected by landslides. All of the proposed dwellings are located on the top of the northern slope. Caution should be taken during construction to insure that the slopes remain stable and that loose soil and felled trees do not fall down onto the roads. Trees should not be topped for water views, as that could lead to their death and the failures of their root systems that stabilize the slopes.

IMPACT ON GROWTH & CHARACTER OF COMMUNITY OR NEIGHBORHOOD:

19. Will the proposed action affect the character of the existing community?

*No. The change in zoning to allow a residential development is not out of character for the neighborhood. The commercial area of Centerport is small, and the subject parcel is separated from the surrounding commercial properties by the slopes and lack of access onto Route 25A. The hotel and restaurants in converted houses will have similar characteristics to townhouse buildings. Clustered residential units are found just to the west at Centerport-Lakeside Estates. That project has 15 units on 4 acres of property and is also located in the Centerport Sewer District. However, that property is zoned R-7 and was therefore subject to the steep slope ordinance, which resulted in large areas of protected open space and a lower density than proposed for the subject parcel.

The closest neighbor is a residential house to the south. While the townhouses may represent a change in character from large-lot single-family residential use, there is more of a concern about what could be built on the site according to the existing C-6 General Business zoning. With less setbacks and other zoning limitations a larger portion of land could be damaged by development. However, the permitted rights under C-6 zoning would be balanced by the environmental sensitivity required by the SEQRA review. A proposal to clear and flatten the entire site for a three-story office building would likely result in a Positive Declaration under SEQRA.

Smart Growth Principles

See attached checklist. The proposal does meet some smart growth goals, such as providing alternatives to the single-family detached housing stock that predominates in the Town. It places higher-density residential development adjacent to commercial areas, serving as a bridge between higher and lower intensity uses. It also benefits from its location in the sewer district. However, it also contrasts with smart growth in that it concentrates high density development on

environmentally significant land, in this case an area of steep slopes. While residential use appears to produce fewer environmental impacts than commercial use, at higher densities this may no longer be the case.

20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts that may result if the proposed action is implemented?

*Unknown. There has been no opposition to date in the public record. Two of the other corners of this intersection have recently been the subject of much public scrutiny. These projects were the construction of the new Centerport Post Office and the proposed expansion of the Chalet Motor Inn. The public interest in those projects may carry over to this zone change, since it is also at a visible location in the heart of Centerport. The last written correspondence from the public was a letter dated September 10, 2007 from the Centerport Harbor Civic Association. They expressed a preference for residential development over commercial development.

December 1, 2009

Huntington Town Department of Planning and Environment

THE PRINCIPLES OF SMART GROWTH & LIVABILITY
HILLTOP HOMES REZONING (#2008-ZM-372)

Town Board resolution 1999-610 of October 5, 1999 accepted *The Principles of Smart Growth & Livability*, as adopted by the Huntington Smart Growth Steering Committee, and advised Departments and Boards in the Town to consider these principles in their review of applications, land use decisions and amendments to the Town Code and regulations.

Check if proposed action/project meets Smart Growth & Livability Principle(s). Otherwise, indicate if principle is not applicable (NA) to or inconsistent (IC) with the proposed action/project or if there is not sufficient information (NSI) to make a determination.

- NSI** The proposed action/project encourages comprehensive land use planning that is ongoing, communitybased and consistent with the needs and objectives of the local community, adjacent communities, and the region as a whole.
- NA** The proposed action/project encourages development that contains a mix of uses essential to the daily life of its residents, which includes housing, shops, work places, schools, parks, and civic facilities ideally situated within easy walking distances of each other or otherwise within short travel distances.
- NSI** The proposed action/project encourages land uses that link economic development decisions with environment and quality of life, and protect the property values of its residents.
- NA** The proposed action/project encourages efficient development that is pedestrian-friendly, is attractive, reduces automobile dependency, provides transportation alternatives, and is focused around existing or newly designed transportation centers.
- √ The proposed action/project encourages development that enhances existing communities, and which particularly targets downtown and neighborhood centers for expanded or new development. The proposed action/project is directed toward areas of existing infrastructure or where infrastructure can be upgraded or introduced to foster redevelopment, rather than toward areas of open spaces, and, when consistent with the community goals, include the recycling of existing structures.
- √ The proposed action/project encourages a sufficiency of housing to meet the needs of the residents of the Town, and which includes a natural diversity of housing types and facilities to enable citizens from a wide range of age groups, ethnic backgrounds, and economic levels to live within the neighborhood boundaries and interact.
- NSI** The proposed action/project encourages planning, decision-making, and development practices that emphasize extensive and broad-based community participation, dialogue, the use of visual models, consensus-building and envisioning.

Consistent with the principles of Smart Growth & Livability, the proposed action/project results in:

- NSI** Protection of open space and the environment
- NA** Strengthening of the local economy
- NA** An improved sense of community
- NA** A decrease or stabilizing of traffic congestion
- NA** A reduction in auto dependency
- NA** Preservation of historic structures
- NSI** Enhancement of the community character and aesthetics
- NA** Efficient use of public money
- NA** Safe and secure communities
- NA** An improvement in the overall quality of life

RESOLUTION DENYING THE APPLICATION OF T-MOBILE NORTHEAST, L.L.C. TO BE EXEMPTED FROM THE PROVISIONS OF LOCAL LAW NO. 2-2011 AND ANY EXTENSION TO THE 90-DAY MORATORIUM IN ORDER TO LOCATE A WIRELESS COMMUNICATION ANTENNA AT 9 CROSBY PLACE, COLD SPRING HARBOR

Resolution for Town Board Meeting dated: June 6, 2011

The following resolution was offered by: Councilwoman Jackson

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, a public hearing was held on May 16, 2011 to consider the hardship application filed by T-Mobile Northeast, L.L.C. pursuant to Section 4 of Local Law 2-2011 to be exempted from the provisions of the 90-day moratorium on public hearings, and the issuance of approvals, grants and conditional use permits by the Zoning Board of Appeals for wireless transmission facilities, so as to proceed with a pending application to locate an antenna on an existing tower at 9 Crosby Place, Cold Spring Harbor, New York; and

WHEREAS, a determination of the aforesaid hardship application to consider an exemption to Local Law 2-2011 is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) of the SEQRA regulations, and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby denies the hardship application of T-Mobile Northeast, L.L.C. pursuant to Section 4 of Local Law 2-2011 to be exempted from the provisions of the 90-day moratorium on public hearings, and the issuance of approvals, grants and conditional use permits by the Zoning Board of Appeals for wireless transmission facilities, so as to proceed with a pending application to locate an antenna on an existing tower at 9 Crosby Place, Cold Spring Harbor, New York, finding that the applicant has not satisfied the requirements to establish grounds for a hardship and that the public health and general welfare is served by requiring applicant to proceed with its application before the Zoning Board of Appeals, currently scheduled for June 16, 2011 in compliance with and pursuant to the newly enacted code amendments

VOTE: AYES: 4 NOES: 1 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	NO
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER GRANTING A LICENSE AGREEMENT TO NATIONAL GRID TO PROVIDE ENERGY EFFICIENT NATURAL GAS SERVICE TO THE U.S. VETERANS ADMINISTRATION MEDICAL CENTER IN NORTHPORT AND TO PROVIDE MITIGATION THERETO

Resolution for Town Board Meeting Dated: June 6, 2011

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **SUPERVISOR PETRONE, COUNCILWOMAN JACKSON, COUNCILWOMAN BERLAND**

WHEREAS, National Grid LLC has requested authorization to install and maintain an 8-inch PVC natural gas pipeline on Town-owned property known as Veterans Park and Veterans Nature Study Area, and County-owned Knolls Park, located north of Bellerose Avenue in East Northport and Northport to serve the U.S. Veterans Administration Medical Center; and

WHEREAS, National Grid LLC has represented that the proposed conversion of boilers from oil to natural gas at the U.S. Veterans Administration Medical Center will result in enhanced energy efficiency and air quality, as well as substantial cost savings for the federal agency, and that they will work with the Town to insure that all necessary approvals are obtained; and

WHEREAS, since the proposed 10-foot wide utility route will traverse Town-owned and Town-managed land, a license agreement from the Town Board and a public hearing are necessary on such a proposal to allow the public to provide comment and for the Town Board to consider mitigation; and

WHEREAS, the subject properties proposed for the gas line route were all once holdings of the U.S. Veterans Administration Medical Center; and

WHEREAS, National Grid LLC and United States Veterans Administration will be holding a community meeting to present the proposal to neighbors surrounding the project area, and a set of plans depicting the proposed license area that can be made available for public review in the Town Clerk's office; and

WHEREAS, the Town will hold a public hearing after the community meeting is held with National Grid LLC; and

WHEREAS, the scheduling of a public hearing for a proposed license agreement is not an action pursuant to SEQRA, 6 N.Y.C.R.R. §617.2(b) and a SEQRA review will be conducted prior to the Town Board making a determination on the proposed action.

NOW, THEREFORE, BE IT

RESOLVED, THAT THE TOWN BOARD HEREBY SCHEDULES a public hearing for the 12th day of July, 2011 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider granting a license agreement to National Grid LLC to provide energy efficient natural gas service to the U.S. Veterans Administration Medical Center and to provide mitigation thereto, provided, however, that the U.S. Veterans Administration and National Grid LLC have held a community meeting on this matter prior to the date of such hearing.

BE IT FURTHER

RESOLVED, that the Town Board hereby directs the Director of the Department of Planning and Environment to coordinate and draft a SEQRA review for the proposed action that will incorporate input from the public hearing.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.